

RENFREWSHIRE COUNCIL

Application No: 08/1056/PP

DEPARTMENT OF PLANNING AND TRANSPORT  
RECOMMENDATION ON PLANNING APPLICATION

Regd: 28/11/2008

Applicant

Agent

Tesco Stores Ltd  
PO Box 400  
Cirrus Building  
Shire Park  
Welwyn Garden City  
AL7 1AB

Phil Pritchett  
Pritchett Planning Consultancy  
PO Box 8052  
Edinburgh  
EH16 5ZF

---

Nature of proposals:

Erection of Class 1 retail store and associated servicing, car parking, access, environmental improvements/landscaping, including town centre shoppers' car park.

---

Site:

Land at Wallneuk Road, Renfrew Road, Paisley

---

Application for:

Planning Permission-Full

---

## **1. Description**

1.1 This application seeks planning permission for the erection of a superstore and associated servicing and parking. It is also proposed that a petrol filling station is erected but this is subject to a separate application. The site is located on the east side of Renfrew Road and to the north of Wallneuk Road, and would replace the vacant warehouses, former petrol filling station, the bowling use and the Council's car and lorry park.

1.2 The proposal is to construct a single building which would have car parking at ground floor level, a store at first floor level and ancillary uses on a partial mezzanine above. The building would be located within the northern part of the site, with additional ground level parking to the south, and ground and decked parking to the north. A total of 714 parking spaces would be provided beneath and to north and south of the proposed store. The proposed service yard would be positioned at the south eastern corner of the store. As part of the development, the applicant would provide a replacement for the Council car park (170 spaces) at the southern boundary of the site.

1.3 Pedestrian access to the store would be taken from a double height glazed entrance at Renfrew Road with travellators and lifts to store level. Vehicular access/egress would be taken from a new traffic light controlled junction on Renfrew Road which would form a crossroads with Niddry Street. A further exit route would take the line of the existing Wallneuk Road, to the south of the proposed petrol filling station.

1.4 The proposed store would comprise one of the applicant's trading formats and include a Tesco Direct facility which is a catalogue form of shopping as well as internet delivery services. It would measure 11,069 sq m gross, with a net floor area of 6,419 sq m. It is proposed that this would comprise 3,419 sq m convenience (53%) and 3,001 sq m comparison (47%) use. The proposed store would operate on a 24 hour basis.

1.5 The proposed building is of a modern design with a flat roof upon which would be sited a series of windcatchers which would contribute to the store ventilation system. As indicated above, the front facade of the store would be largely glazed with a projecting, double height lobby. Cast stone would be used to finish the stair towers. Brise soleil would be included at the top of the lobby area and at the southern end of the frontage and over the glazed part of the southern elevation. That part of the facade above the brise soleil would be finished in cladding panels. Areas of glazing would extend around to both north and south elevations. The main finish for each gable and the rear elevation would be cladding metal panels.

1.6 The decked car park on the north elevation would be mainly finished in blockwork to match the cast stone of the stair towers, with expressed columns and the inclusion of areas of render and decorative screening at ground level

1.7 A landscaping layout has been submitted with the application. This shows formal planting and benches within the widened footpath in front of the proposed store, with structural planting extending to the south and enclosing the open car park at the southern end of the store. A substantial area of landscaping would be provided to the south of the rear service yard and along the northern boundary of the site, with more limited planting adjacent to the eastern boundary and along the northern boundary of the replacement long stay car park..

1.8 The existing site contains vacant warehouses which back onto Renfrew Road, to the north of which is a former bowling facility and the cleared site of a former petrol filling station. Also on the site and to the east of the warehouses is a council owned car park and lorry park, and a separate depot for Council vehicles. To the south of the site is the site of a concurrent application by the applicant for a petrol filling station, an existing public house, which does not form part of the application site, and beyond both, the Paisley-Glasgow railway line. To the north of the site is a disused railway line and to the north and west, a bowling club and a number of industrial units. On the west side of Renfrew Road is a vacant retail warehouse, a car dealership, a club, and a medical centre.

1.9 The applicant has submitted a number of supporting documents with the application. These include a statement of community involvement as well as reports in respect of retail impact, traffic, accessibility and connectivity, drainage, noise, and air quality. These are briefly summarised below.

1.10 The application has been amended since first submitted, to reduce the overall floorspace of the proposed store. It is the amended proposal which is described above. The proposal as originally submitted was for a store of 12,889 sq. m gross floorspace with a net floorspace of 8,884 sq. m of which 4,216 sq. m (47%) was to be for the sale of convenience and 4,669 sq. m (53%) for the sale of comparison goods.

1.11 The applicant has also advised that the proposed development would represent an alternative to the permission granted at Love Street, and has offered to agree to the revocation of that consent in the event that planning permission is granted for the current proposal.

## **2. History**

08/0815/EO: Request for screening opinion as to the requirement for a Statutory Environmental Statement for proposed retail store. Environmental Assessment not Required.

### Relevant planning permissions

04/599/PP - Class 1 retail superstore & ancillary car parking, landscaping, petrol filling station & ancillary works. Planning permission granted in outline. (Love Street)

07/669/PP - Reserved matters for the erection of class 1 retail superstore and ancillary car parking, landscaping, access and ancillary works. Approved. (Love Street)

03/1153/PP - Erection of mixed use development including; Class 1 retail convenience store (13540 sq m gross: 5920 sq.m net) with ancillary restaurant, offices and storage; 4 non-food retail units (710 sq.m gross); 768 car parking spaces; 13 flats and associated parking; office development (1284 sq.m gross); alterations and partial demolition of 2 Category 'B' Listed Buildings and demolition of 3 unlisted buildings in Conservation Area. Granted subject to conditions.(Former Arnotts site)

09/0528/PP - Development and regeneration of former Arnotts site as a mixed use retail/residential/office development with improvement of associated parking facilities and public realm. Planning permission granted in principle

### Relevant current applications

08/1055/PP - Redevelopment of football stadium to form residential development with associated car parking, landscaping and new vehicular and pedestrian access. (in outline)(Love Street)

08/1057/PP - Erection of petrol filling station with associated access and landscaping. (Wallneuk Road)

## **3. Policy and Material Considerations**

### 3.1 Glasgow and the Clyde Valley Joint Structure Plan

Strategic Policy 1: Strategic Development Locations.

Strategic Policy 5: Competitive Economic Framework.

Strategic Policy 6: Quality of Life and Health of Local Communities.

Strategic Policy 9: Assessment of Development Proposals.

Strategic Policy 10: Departures from the Structure Plan.

### 3.2 Renfrewshire Local Plan

Policy IB1: Strategic Business Centre.

Strategic Policy 2: Sustainable Development and Settlement Policy.

Policy R1: Town Centre Uses.

Policy R2: Direction of Major Retail Developments to Strategic Town Centres.

3.3 Planning legislation requires that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the proposal requires to be assessed in terms of the policies set out above, the comments of any consultees, those of representees and any other material considerations.

3.4 The material considerations in this case comprise government policy in the form of Scottish Planning Policy, and the extant planning permissions for retail development at the former Love Street stadium (04/599/PP and 07/669/PP) and the former Arnotts store (03/1153/PP and 09/0528/PP).

#### **4. Publicity**

The applicant certified that neighbour notification procedures were followed. The application was advertised as potentially contrary to the development plan. The advertisement was placed in the Paisley Daily Express on 12 December 2008.

#### **5. Objections and Representations**

5.1. In total 44 letters of representation have been submitted, together with a further letter from SP Energy Works. The latter advises that there are low voltage underground cables in the vicinity and wishes to ensure that they will not be affected by the proposed development.

5.2. The remaining letters include lengthy representations from the Paisley Centre, Morrisons and Paisley Transition Town and another of the letters includes a petition of 16 signatures. It is important to note that these are the objections submitted before the hearing of objectors and have therefore been based on the applicant's submissions up to that date.

5.3. Of the 44 letters of objection, the matters raised

5.4.1. The applicant's justification is insufficient and it is considered that the proposed development is inappropriate for the following reasons:

- It is contrary to development plan policy, specifically Strategic Policy 9 of the structure plan, with reference to TR7/06. In terms of Strategic Policy 1, the applicant has exaggerated the importance of the renewal area to one of national importance.
- In relation to the local plan, retailing is not an acceptable use within a strategic business centre as defined in Policy IB1, and the development is contrary to Policy R2. Reference is made to Policies R6 and R14.
- Emphasis is placed on the fact that the site is not a commonplace business and industrial site but is a strategic site. Its loss will result in the loss of a strategic opportunity, influencing the long term cultural and economic well being of the town centre.
- There has been insufficient assessment of the sequential test, and the statement in relation to the Arnotts site uses a commercial justification rather than a planning one. The Arnotts site is the only one considered and is assessed only in the context of the extant consent. No attempt has been made by the applicant to develop their own proposal or to compromise on their preferred trading format. It is noted that both the former Littlewoods and the Co-op department store are on the market and may represent an opportunity for reconfiguration;
- No capacity has been identified for this scale of development in this location. Technical Report TR7/06 states there is no strategic requirement for additional retailing within Renfrewshire's catchments and notes particularly that Paisley has a surplus of turnover to available expenditure.
- It is considered that the retail assessment is inconsistent and simplistic for a development of this scale, and the data contains inaccuracies which put the figures in doubt;
- Further clarification is sought as to what the anticipated 'long term spin off benefits' might be. Evidence is sought to justify this statement and explain how those benefits may affect existing operators;
- Reference is made to the circumstances in which planning permission was given for the development of the site at Love Street. The relocation of the football

stadium was a material consideration but that justification does not apply to the site at Wallneuk.

- There is an inappropriate and unclear mechanism of 'transferring' undeveloped permitted retail floorspace between sites (Love Street and Arnotts), particularly when the applicant is not in control of the Arnotts site; and
- The scale of proposed retailing is unsuitable and excessive in this location.

5.4.2. Oversized and unnecessary development which is out of scale with Paisley's needs. People will not come into the town to shop as the proposed store will provide almost everything they need.

5.4.3 It will undermine the vitality and viability of Paisley town centre, already hit by Braehead and Silverburn, and undermine a centre already weakened by retail outlets in edge and out-of-centre locations. It would take trade away from the low price comparison shops which are now the main type of shop remaining in the town centre. An assessment is made of the overall impact of the development on the town centre shops and it is maintained that the development will increase vacancy levels from 22% to 26%.

5.4.4. The applicant's figures (as first submitted) are unrealistically low given that:

- The floor area of the proposed store equates to 28% of the occupied town centre;
- The proposed store would be open 24/7;
- The assessment assumes that convenience spending will increase by 12% over the forecast period, which is uncertain;
- The Council's consultants estimated higher impact on Paisley town centre turnover in relation to the Love Street and Linwood proposals.
  - If the loss of town centre turnover were as much as 25%, the total vacant commercial floorspace would rise to 39% and there would also be a negative impact on catering and services.
  - Over half of the store would sell comparison goods which would be particularly damaging to the town. In terms of floor area this would represent 20% of the existing comparison floorspace in the town.
  - The applicant's assessment of impact on town centre convenience turnover shows a loss of 5%. This is too low when compared with the applicant's assessment of impact in relation to the Love Street store which was estimated at 8% and the Council consultant's estimate of 22%. The convenience floorspace would amount to 73% of the existing convenience floorspace in the town centre.
  - The impact would be greater because the store is closer than Love Street and the range of goods would exert greater pulling power.
  - It is improbable that the only loss of convenience turnover would be M&S and Somerfield.
  - The loss of 11% of turnover at M&S would prejudice its future and have a negative effect on the town centre.
  - There is sufficient supermarket floorspace in the Paisley area with only Phoenix Asda trading above capacity.

5.4.5. Although the structure plan identifies the provision of up to 25,000 sq. m additional comparison floorspace for Paisley, great caution should be exercised in relation to floorspace provision as the structure plan was prepared prior to the deep

economic recession, and the forecasts on which development potential has been assessed are overstated.

5.4.6. Few customers would take the unpleasant walk to the town centre to shop there.

5.4.7. The development would put one major retailer in a dominant position relative to other major retail chains. Reference is made to the Competition Commissions recommendations and details are included in relation to the gross floor areas of the 3 largest traders and their distance from Paisley Cross.

5.4.8. Emphasis is placed on the size of the proposed store which is equivalent to the size of a medium sized retail park. i.e. one which, in floorspace terms, has a foodstore which is the same size of Morrisons together with 7 standard sized retail warehouse units for open class 1 use. It is suggested that if such a proposal had been submitted, there would have been no prospect of success and therefore the current application should be considered accordingly.

5.4.9. While recognising the proposed convenience floorspace would be in lieu of Love Street, it is maintained that there is no justification for 6,831sq. m of comparison floorspace. An alternative would be to site the comparison element of the development within the town centre on one of several sites available there.

5.4.10. The proximity of the site is such that it would cause much greater dislocation of trade than the above malls.

5.4.11. Any large new development should be in the town centre. There is sufficient retail space at the vacant Arnotts site and there are plenty of empty shops including Littlewoods.

5.4.12. It will cause severe traffic congestion on the town's main road system. The traffic impact would be greater than the Love Street location because the proposed store is larger and would generate more traffic and because of its location, which is on the town's principal route to the M8, and on the busiest section of the ring road. The Niddry Street/Renfrew Road junction is at capacity, and the additional lanes on Niddry Street would not be sufficient to cope. The traffic impact assumes that a high proportion of shoppers will be those who already pass the site but, even if this were to be the case, congestion would increase because those cars would use the junction twice.

5.4.13. The construction of the store would give rise to a negative environmental impact arising from the servicing of the store and because it would encourage additional car usage.

5.4.14. USA experience highlights the damage that shops like this can do to communities.

Immediately prior to the Pre Determination Hearing, a letter of support for the development was received from the trade union USDAW.

## **6. Pre Determination Hearing**

6.1 A hearing of objectors was held on 15 December 2009. Following a presentation of the proposal by Mr D Thornton and Mr P Pritchett on behalf of the applicant, the Convener invited third parties to explain their objections to the development to councillors.

6.2 Third Party speakers:

Dr C Johnstone represented Paisley Transition Town.

Mrs M Leitch.

Mr G McCartney.

Mr G Wilson represented Cogent Property Solutions, Asset Managers for the owners of the Paisley Centre.

Ms A Hungate Taylor represented Propinvest, owners of the Paisley Centre.

Mr P Carus represented Morrisons.

Mr J Wilby represented the Paisley West and Central Community Council.

6.3 The matters raised have largely been summarised above, but for completeness are summarised below:

- Strategic and local plan policies
- The sequential approach
- The submissions appear inadequate to justify the development
- The development does not meet the Council's aspirations for the regeneration of the town centre.
- The submissions do not provide any explanation of 'spin-off' benefits.
- Lack of capacity and therefore impact on existing retailers.
- Consents should not be transferred.
- Likelihood of linked trips
- Proximity of traffic junctions
- Accessibility to pedestrians
- Creation of jobs/impact on existing jobs
- Potential for traffic congestion.

6.4 Tesco were invited to respond, and their comments are summarised below:

- The scale of the store is to counter Silverburn. Large scale stores exist at Braehead and Silverburn but not at Paisley
- Having purchased Love Street, this will be developed if permission is not granted for Wallneuk
- Vacant sites in the town centre will not meet Tesco's criteria, and disaggregation will not be considered
- The High Street vacancies and closure of the Co-op have occurred without the development
- Capacity has been assessed in the structure plan
- The development would support the town centre

6.5 Councillors were invited to raise any other matters which included:

- The impact of the development on existing jobs
- Distance of development from the town centre and linkages
- The impact of the development on the Linwood proposal
- The origins of new customers
- Potential for further traffic disruption
- Length of parking

- Impact on East Lane and other stores
- Impact on comparison trading.

6.6 Following the hearing, a further 3 letters of representation have been received, 2 of which relate to the supplementary information submitted by the applicant in January, although this has been superseded by the subsequent revised proposal now under consideration.

6.7 Following the revision to the application, a supplementary letter of representation was received. The writer is concerned that the amended proposal remains a major development outwith the town centre with no clear evidence that it will result in benefit to the town centre. The amendment does not address concerns expressed in earlier correspondence and at the Pre Determination Hearing.

## **7. Consultations**

**Transport Scotland:** Do not advise against development.

**Amey Highways:** No reply.

**Glasgow and the Clyde Valley Joint Structure Plan Team:** No comments.

**Roads Division, traffic:** No objections subject to conditions. The amended proposal has the effect of reducing traffic generation and demand for on site parking. The analysis of traffic indicates that the road system will operate without detriment if the development proceeds. However, there continues to be sporadic breakdown of the traffic signal control system on the north side of Paisley which is not reflected in traffic modelling. It is felt that this is associated with the traffic system operating close to capacity so that the ability of the road system to respond to small traffic flow changes is reduced. It is anticipated that the severity and frequency of congestion incidents would increase as a result of the development. However, it is not recommended that planning permission be refused.

Public transport accessibility is good and linkages to the town centre would be improved by the provision of a shuttle bus as offered by the applicant.

The amended store size of 11, 069 sq. m and 722 parking spaces would provide a parking ratio which falls between the Council's guideline figure of 664 and the Scottish Governments maximum figure of 791. This level of provision is considered acceptable.

Conditions are recommended in relation to the external road system, access arrangements, road signing, parking, pedestrian access and provision of a shuttle bus.

**Roads Division, design:** No objections to Drainage Impact Assessment

**Scottish Water:** No objections.

**SEPA:** No objections subject to requirement to treat surface water in accordance with SUDS principles, and appropriate treatment of contamination to ensure that groundwater is not affected by contaminants.

### **Environmental Services:**

- noise survey (1) service yard and home delivery activity - no adverse comment; (2) mechanical services and refrigeration plant – there is a requirement for remediation works to

ensure that the background noise level is not exceeded, a condition is therefore recommended.

A. contamination – the submitted phase I report is acceptable but an additional phase II intrusive site investigation will be required prior to any development. Information will be required in relation to the remediation works currently underway at the former petrol filling station on the site and these should either be submitted in a composite submission or separately submitted for review.

B. air quality - further information is required in relation to 2 aspects.

**West of Scotland Archaeology Service:** No substantive archaeological issues raised due to the disturbed nature of the site.

**BAA:** There is a requirement for a Bird Hazard Management Plan. The landscaping proposals to be amended to comply with Advice Note 3. Amended plans submitted.

**Architecture and Design Scotland:** The site has a pivotal role in knitting together the surrounding areas. The Council should take a lead role in establishing a framework for future development in this area. The site is dislocated from the town centre and the creation and enhancement of pedestrian routes is required to improve access and connections. Refer to Designing Streets. Express concern regarding the location and design of the PFS which would serve to dislocate the store from the town centre. Renfrew Road should be examined to assess what is needed to make Renfrew Road an urban street. Additional visualisations would help. The public realm strategy requires to be developed to overcome the considerable issues of severance which have not yet been sufficiently addressed. Further information is required in relation to the visual impact of the deck car park from the north. Treatment and screening of the deck may be required. In response, the applicant has submitted further visualisations and amended aspects of the petrol filling station and layout.

**Economic Development:** No objections.

**Paisley West and Central Community Council:** Large store will have a major effect on Paisley's traditional retail centre. The development would represent a visual improvement on the existing sheds. Car parking proposals will have an effect on existing parking around the one way system, with long stay popular with railway users. The vehicle exit should be routed around the one way system.

## 8. Summary of Main issues of:-

Environmental Statement: The proposal was the subject of a request for a Screening Opinion (08/0815/EO). The Council concluded that, in this instance, an Environmental Assessment was not required.

Appropriate Assessment: Not applicable

Design Statement: Not applicable.

Access Statement: Not applicable.

Other Assessments:

C. Statement of Community Involvement: While at that time there was no statutory requirement to do so, the applicant undertook community consultation in November 2008.

This comprised letters to elected members and the local Community Council, press advertisements and 2 daytime and 1 evening event to allow the public to be aware of the proposal and to make comment using feedback forms. These events took place in the Wynd Centre.

- Planning and Retail Impact Assessment: The initial assessment has been the subject of discussion and amendment with the later information provided following the hearing of objectors. In summary, the submissions summarise the background to the application, detail the sequential assessment undertaken by the applicant taking into account his location requirements, consider the policies set out in government policy and the development plan, and carry out retail assessment.

A supplementary response was submitted in relation to matters raised at the hearing of objectors, in relation to the effect of the proposed development on existing town centre traders. Survey evidence was submitted in relation to the impact of Tesco stores at Shepton Mallet and Beccles where the results appear to suggest that new development has benefited the existing towns. Reference was also made to examples of development in Cupar and Elgin where it was concluded that a similarly beneficial effect has occurred. The applicant also commented on the effect of the proposed development on that proposed for the former Arnotts site and refers to the trend to locate discount food stores in the vicinity of larger stores where they are seen to operate together.

The report responds to comments made by third parties in relation to retailing and traffic impact and makes further comment on the sequential approach to site selection, on car parking and bus travel, including the proposal for new bus provision, and linkages, including the difference between Love Street and the application site. A detailed response to concerns raised in relation to employment includes the offer of a Regeneration Partnership and refers to the success of such schemes at Shettleston, Silverburn and St Rollox in Glasgow.

The supplementary submission also updated and expanded upon the initial retail impact assessment.

However, following further discussions, the applicant has amended his proposals to reduce the overall sales floorspace, and alter the proportion of convenience to comparison floor areas. This proposal has been accompanied by a new retail assessment. The new assessment has used data produced by the Council's consultant, Roderick MacLean Associates (RMLA), and closely follows that assessment, and has not included any potential benefits which might result from the proposed investment.

- Drainage Impact Assessment: It is proposed that the foul water generated by the development would link into the combined system. Surface water drainage would be dealt with by collecting storm water run-off to underground storage tanks and by using porous paving within car parks (outwith the building). Thereafter, a pipe network would take stored run-off to the combined sewer. The report concludes that this design would provide storage to accommodate a 1:200 year event. As existing the combined sewer is located beneath the proposed store. it is therefore proposed that this is relocated within the site before connecting with the existing sewer in Renfrew Road.
- Noise Impact Assessment: This report includes noise survey details and considers noise arising from mechanical services and refrigeration, servicing activity, home shopping activity, car parking, the petrol filling station, and road traffic noise. The report concludes that the proposed development could, subject to the design of mechanical and refrigeration plant, take place without any of the identified noise sources resulting in

adverse impact on the amenity of local residents, even if they were to take place on a 24 hour basis.

- Air Quality Assessment: This report considers the impact of the proposed store on local air quality by identifying and assessing direct and indirect emission sources. The greatest potential impact of the development would be during the construction period and therefore the report sets out a series of mitigation measures which it concludes would greatly reduce or eliminate dust emissions. Only small effects on local air quality are predicted due to operational traffic associated with the development and therefore no air quality mitigation measures are required in this respect.
- Site Investigation Desk Study: The report concludes that the site is suitable for use, and that completion of the development will ensure that exposure to identified potential contaminants is removed. Investigation is required to assess risk to construction staff and the surrounding areas during site development.
- Sustainability Statement: This submission has been made to meet the requirements of SPP in relation to renewable energy. It explains the applicant's approach to lowering the energy consumption and carbon dioxide emissions by including energy efficiency measures and examines the potential for renewable energy sources. Energy efficient measures which would be incorporated into the development include the inclusion of rooflights, the use of dimmable lights and a reduction of night-time lighting, improved U values for external walls, solar shading, heat recovery, and levels of air permeability. In addition, the development will include a biofuel CHP (supplemented by a conventional gas fired boiler) and measures for ventilation heat recovery. The report states that these measures will achieve the required 15% reduction in carbon emissions.
- Transport Assessment: The Transport Assessment has been amended during the course of consideration of the application, most recently to reflect the amended store size. The submitted assessment concludes that the proposed parking and cycle provision complies with current standards and that the alterations to the road network will, in conjunction with the soon to be completed SCOOT signal control system, more than accommodate the predicted development traffic throughout the road network. The alterations to the road network include the formation of a new traffic light controlled junction on Renfrew Road; the alteration to the design of Niddry Street to increase the number of lanes; the widening of Renfrew Road at the junction and provision of a bus bay; and the provision of pedestrian crossing facilities.
- Accessibility and Connectivity Report: This submission considers the existing and proposed accessibility of the site to demonstrate how the site represents a sequentially preferable site for retail use and the location of a town centre car park. It considers the location of the site in relation to the town centre and compares this with other retail sites, including the consented site at Love Street, and with other car park locations. An assessment is made of the routes which connect the site to the town centre and recommendations are made in relation to improvements to footway surfacing, signing, the provision of anti-bird netting, lighting and landscaping. The report considers that the site is in an accessible location when compared with other locations, and that this will enable the proposed store to function as part of the town centre and encourage shopping trips away from less accessible locations such as Braehead as well as encouraging additional shared shopping trips and demand back to Paisley town centre.
- Landscape Proposals: Design Statement: This statement analyses the existing areas of vegetation on the site and sets out the objectives of the new landscaping proposals,

identifying the areas for landscaping and the design approach taken in the submitted proposals.

Planning Obligation Summary: In the event that the Council is disposed to grant planning permission for the development, there would be a requirement for 2 legal agreements:

A section 75 agreement which would require that:

- the unopposed revocation of the outline planning permission and reserved matters consent granted for the erection Class 1 retail superstore & ancillary car parking, landscaping, petrol filling station & ancillary works at Love Street, Paisley (application nos. 04/0599/PP and 07/0669/PP).
- the definition of the planning permission hereby granted in terms of the size of store and its use.
- the provision of a 3 hours limit for shopper parking and its operation in accordance with the Council's parking strategy
- the provision of a shopper bus and its route and frequency
- the formation of a Regeneration Partnership in relation to jobs

A section 69 agreement which would require that funds were lodged with the Council in respect of the public realm works and to provide a percent for art in terms of the Council's policy.

Scottish Ministers Direction: The Town and Country planning (Notification of Applications)(Scotland) Direction 2009 provides guidance on circumstances where planning authorities must notify the Scottish Ministers should they propose to grant planning permission. Insofar as the development would be located on land which is partly owned by the Council, and the development would be significantly contrary to the development plan, the application falls within a category of development which would require to be referred to the Scottish Ministers in the event that the Council is minded to approve the application.

## **9. Assessment**

9.1 The proposed development requires to be assessed against policies contained in the development plan which, in this case comprises the approved Glasgow and the Clyde Valley Joint Structure Plan and the adopted Renfrewshire Local Plan. This process is assisted by an independent report by Roderick MacLean Associates (RMLA) who were commissioned to advise the Council on matters of retail impact.

### Glasgow and the Clyde Valley Joint Structure Plan

Strategic Policy 1 refers to Strategic Development Locations and in Schedule 1(a) identifies Town Centre Renewal and Safeguarding Priorities. Paisley is included as both a renewal priority and as a town centre to be safeguarded. It is noted that the application site is not contained within Paisley town centre as defined in the local plan, but the applicant considers that the site is in an edge of centre location.

Strategic Policy 5 sets out the Competitive Economic Framework and states that the economic competitiveness of the structure plan area will be supported through the development (and their safeguarding from inappropriate alternative uses) of the identified Strategic Economic Locations identified in categories (a) to (d). In Schedule 5(a), Paisley is identified as one of eight Strategic Business Centres which have the potential for business and office development to complement the economic base provided by Glasgow City Council.

The Structure Plan states that the potential growth of service industries will depend upon having an effective network of such centres for the development of office, service, education, tourism and culture orientated economic facilities. While there has been limited interest in the site for service industry investment, the proposed retail use of the site would potentially divert such opportunities from this location. The retail use does not fall within the categories of development identified as appropriate for this location.

The proposal is consequently contrary to Strategic Policy 5(a).

Policy IB1 of the Renfrewshire local plan and the proposals map designates the application site as part of the Strategic Business Centre of Paisley, and is considered below.

Strategic Policy 6 concerns the quality of life and health of local communities. It focuses on the network of centres identified in Schedule 1(a) and states that the principle that town centres should be the preferred location for focusing the economic potential of new retailing developments is central to the Metropolitan Development Strategy.

Schedule 6(c)(i) sets out a series of criteria for the assessment of significant retail development proposals. The applicant's consultant (PPC) has submitted a retail impact assessment of the proposal taking into account the requirements of the schedule and, as noted above, the Council has commissioned it's own independent assessment (RMLA) of the development. The submission of the amended proposal was accompanied by a revised retail impact assessment which has also been assessed by RMLA. My conclusions are set out in relation to policy as follows:

(a) The assessments undertaken by both PPC and RMLA both estimate a 4% net inflow which amounts to £14.8 million. This has to be considered in the context of Schedule 6(c)(iv) Additional Retailing Opportunities which identifies an opportunity for new comparison floorspace within Paisley town centre. Although the site is not within the town centre, the applicant considers it edge of centre, and likely to result in spin off benefits to the town centre.

(b) The revised net convenience floorspace at Wallneuk is only 521 sq m. greater than that approved at Love Street. The assessment carried out by both PPC and RMLA conclude that the level of impact arising from the amended store will be only marginally greater than the consented store at Love Street. Only Anchor Mills and ASDA remain above the 20% impact level, but as neither have a town centre location, they are not safeguarded by policy. On this basis, I would conclude that the convenience aspect of the development is acceptable.

The revised proposal also reduces the level of comparison shopping from 4669 sq m (as submitted) to 3001 sq m. The effect of this reduction of 1668 sqm and the lower balance of net floorspace devoted to comparison shopping, reduces the impact of the comparison shopping of Paisley town centre from 12% to 7%. It is understood that the alternative proposal at Love Street would have a 3% impact on Paisley town centre's comparison trade.

The reduction in floorspace and the revised balance between convenience and comparison shopping floorspace have mitigated cumulative impact on town centre convenience and comparison trade. The smaller proposal presents less potential threat to the vitality and viability of the town centre. The difference in impacts between this application and the alternative retail site at Love Street is no longer significant.

(c) The applicant considers the site to comprise an edge of centre site and has submitted information to support this view. I would agree that the distance between the site and the edge of the town centre is such that this view could be supported, however, the issue of functional linkage is considered below.

(d) The applicant has concluded that the development will make a positive contribution towards improving the vitality and viability of Paisley town centre by arresting the leakage of trade from the catchment to Silverburn and Glasgow city centre, and by drawing trade back from Braehead to Paisley town centre. Supporting information has been submitted in relation to stores in Castle Douglas, Cupar and Elgin. In respect of a store in Beccles, information has been submitted of an exit survey to demonstrate that the new store there helped to attract shoppers back to the town, and may have attracted new retailers. Although none of the examples appear to be directly comparable with the current proposal, RMLA agrees that there will be an element of trade drawn from Silverburn and Braehead, and estimates 11% impact on Braehead.

Criterion (d) also requires an assessment of the functional relationship of the development site with existing town centre facilities. The applicant has measured the distances of the site from the boundaries of the town centre and other destinations and compares this with Morrisons at Anchor Mills. He has also analysed the connecting routes. Although the proximity of the site to the boundary of the town centre is recognised, there are concerns regarding the nature of the linkages. In particular, the very substantial railway viaduct, through which the routes to the town centre would be obtained. It is also noted that access to these routes would involve crossing a number of roads, including the Paisley ring road at Inle Street/Weir Street/Old Sneddon Street.

In recognition of these concerns the applicant has offered a range of public realm works including the re-surfacing of routes where necessary, improved lighting and landscaping, bird repellent measures and signage to improve the pedestrian experience. He has also offered to provide a shuttle bus, subject to review, to link the application site with town centre facilities. I consider all of these measures are essential and, if successfully implemented, would justify concluding that the site is functionally linked to the town centre, and therefore an edge of centre site.

(e) The applicant considers the site to comprise an edge-of-centre location.

(f) The proposal does not concern an identified Retail Warehouse Location.

(g) The application does not propose a new retail warehouse park.

(h) The application site is located on a busy bus route with some 42 buses per hour passing the site. The applicant has also now offered to provide an additional service for a 2 year period which would provide an improved connection between the site and facilities in the town centre. The town centre is within walking distance and he has offered to upgrade those routes by using improved surfacing and lighting, some of which would be incorporated as artwork.

(i) The application does not propose additional floorspace in Paisley town centre as identified in Schedule 6(c)(iv).

(j) As noted above there may be a case on qualitative grounds for the proposed store, but this needs to be balanced against the scale and format of the proposals, taking account of impact on the town centre.

(k) The joint committee has not issued any supplementary retail guidance.

Schedule 6(c)(ii) requires a sequential approach to the location of retailing and other town centre uses. This approach is also required in SPP and in policies contained in the local plan.

The applicant has assessed the nature of the town centre, and referred to the planning permission granted for the former Arnotts site. He considers that insofar as the Council have already granted planning permission for a convenience store of 13,540 sq m gross (5920 sq m net) at the Arnotts site, and 7,432 sq m (primarily food) at Love Street, capacity exists for this amount of convenience floorspace, and that the application site represents a preferred location.

In stating that the permission at Arnotts is unlikely to proceed, he concedes that the Love Street planning permission may have had an effect on this, but considers that the main reason it did not proceed was the inability of the site to accommodate the approved scale of development. Although the applicant has not submitted any details of his assessment, it must be recognised that the previous site owners have not been successful in attracting a developer, and it is not disputed that the size of store currently proposed at Wallneuk would be difficult to accommodate in the available area with the necessary level of parking. Furthermore, it is recognised that the planning permission granted for the Arnotts site is now unlikely to be implemented as it will expire on 18 April 2010. It is also recognised that it is a smaller site than either that at Love Street or that subject of this application. Nevertheless it remains a substantial vacant site which occupies a prominent location within the town centre and is therefore a priority for development. The Council has now granted planning permission for the mixed development of the Arnotts site with a much smaller retail element, and has subsequently entered into a limited liability partnership with Park Lane developments to regenerate the site.

In these circumstances, I am prepared to accept that the application site meets the sequential approach, and that it would be sequentially preferable to the extant consent at Love Street.

Schedule 6(c)(iv) identifies additional retailing opportunities. Technical Report TR7/06 refers to the need to improve the competitive position of Paisley town centre and supports the restructuring of floorspace and reduced vacancy in the town centre to provide additional comparison floorspace of 25,000 sq m. gross, in order to improve the vitality and viability of the town centre. This reflects the current levels of vacancy within the town centre and the need to consider whether remodelling of the space could contribute towards the regeneration of the town centre. The proposal would provide additional comparison floorspace outwith the town centre, and are therefore subject to the sequential approach considered above.

Strategic Policy 9: Assessment of Development Proposals states that, in order to accord with the structure plan, development proposals will require to satisfy a number of criteria grouped as A, B and C. These can be considered in turn although only the relevant parts of each criterion are considered:

A. The development exceeds the thresholds set out in Schedule 9, and therefore the case for the development must be established in terms of Schedule 6(c)(i) and Schedule 6(c)(iv).

As noted above, the amended proposal, which reduces the overall floor area of the proposed store and alters the balance of convenience to comparison floorspace, results in an impact on the town centre which is similar to the consented development at Love Street.

Furthermore, the location of the application site is sequentially preferable to the Love Street site. Whereas there is a town centre site (Arnotts) which could accommodate a substantial retail development, I am satisfied that the current proposal could not be located there, and have also noted that alternative regeneration proposals are being developed for that site.

I would therefore conclude that the development can be justified when assessed against the criteria of schedule 6(c)(i) and it would meet the requirements of Schedule 6(c)(iv).

B. That the location of the site is appropriate in terms of the need to:

(i) safeguard and avoid the diversion or displacement of investment from the town centre. In terms of Strategic Policy 5, the retail use of the site does not fall within the categories of development identified as appropriate for this location, and as such I have concluded above that the development is contrary to policy.

In term of Strategic Policy 6, although the development is not within Paisley town centre, I have concluded above that the site is in an edge of centre location. As such it is preferable to the Love Street site in that there is greater potential for linked trips with the town centre and for potential spin-off benefits. The applicant has stressed that the development will clawback spending from outwith the catchment, and from out of centre development, which is a position supported by RMLA.

(iii) safeguard and promote the vitality and viability of the town centre. The development will have a cumulative impact on the town centre, however, this is of an acceptable level and crucially is not significantly greater that accepted at Love Street. It is expected that the proposed investment in an edge of centre location with significantly improved linkages to the town centre will contribute to an improvement in the vitality and viability of Paisley town centre.

(vi) The site is accessible by walking, cycling, public transport and cars.

(viii) The applicant has submitted an acceptable drainage assessment

(x) The submitted air quality assessment is acceptable in terms of the Air Quality Management Area.

I would therefore conclude that the location of the development is appropriate.

C. That appropriate provision is made by the developer in relation to a number of aspects.

(i) The necessary infrastructure/facilities relate to access, parking and drainage. These are considered below.

(ii) The Head of Roads is satisfied with the submitted Transportation Assessment, and although he has noted some concerns regarding the capacity of the road network, has recommended conditions to address these..

(iii) In order to improve the appearance and attractiveness of the linkages to the town centre, the applicant has proposed a range of works to deal with existing pockets of landscaping which have not been well maintained, and to incorporate new street planting and surfaces, which would complement the proposed landscaping scheme for the development itself and links to the town centre.

(iv) The submitted drainage assessment is acceptable.

(vii) West of Scotland Archaeological Service were consulted on the application and have confirmed that the development does not raise archaeological issues.

(ix) The applicant has submitted a separate report in which he has set out the measures to be employed to meet the standards set out in government policy with regard to energy conservation. the design of the building takes into account these measures.

I would therefore conclude that, subject to conditions, the developer has made appropriate provision for infrastructure requirements.

It follows from the above assessment, that whilst is consider that the development proposals satisfy the retail criteria of Strategic Policy 9, the proposal is contrary to Strategic Policy 5(a) and therefore constitutes a departure from the plan. As such the proposal requires to be considered in terms of the criteria set out in Strategic Policy 10.

Strategic Policy 10: Departures from the Structure Plan states that any proposal which fails to meet the relevant criteria in Strategic Policy 9 will be regarded as a departure from the Development Plan and consideration will require to be given to appropriateness of the development by assessment against a series of criteria.

#### A. The justification for the development

A justification for the development in quantitative and qualitative terms has been made above.

#### B(i) Economic Benefit

The employment benefits associated with the development, and the applicant's proposal for a Regeneration Partnership is acknowledged.

#### B(iii) Environmental Benefit

The development would represent the improvement of an unsightly area of vacant land and buildings at a prominent location at an entry point to Paisley town centre, and would involve the provision of improved linkages for pedestrians.

Although I consider that the development can be considered appropriate when assessed against the criteria of Strategic Policy 10, given the size of the site and the importance attached in the structure plan to promoting the economic role of Paisley town centre as a strategic business centre, I consider that the development remains a departure from the plan.

#### Renfrewshire Local Plan

Policy IB1 supports the designation of Paisley town centre as a Strategic Business Centre. It also includes an area to the north of the town centre (including the application site) where office, service, education, tourism and culture orientated economic uses will be considered appropriate. Suitable business developments which are accessible, complementary to, and support the vitality and viability of the town centre will be promoted. Development proposals require to meet the criteria set out in Panel IB1, and will be guided by the policies in the Retailing and Town Centre section of the local plan.

The proposed development does not fall within any of the categories of development identified as appropriate for the site and is therefore contrary to Policy IB1.

Strategic Policy 2 states that the Council will seek to ensure that development proposals adhere to the principles of sustainability, by directing new development to sites within existing towns and villages; by safeguarding and promoting the vitality and viability of the town and village centres; and by protecting the green belt. Insofar as the proposed

development concerns development outwith the designated town centre it is potentially contrary to Strategic Policy 2. However, it proposes development of a brownfield site and one which, subject to improved linkages is considered an edge of centre location. as such it comprises a more sustainable location than that at Love Street.

Policy R1 of the local plan states that proposals for Town Centre uses, as defined in Schedule R(a), will be directed to the strategic and secondary centres defined in the Proposals Map. All proposals for town centre uses will require to be assessed against the criteria set out in Table R1.

Table R1 lists 9 criteria which will be applied in the assessment of town centre uses. Many of these have been considered in the assessment criteria applied by structure plan policy as above and these are noted as follows:

1. In the assessment above, I have accepted that the development satisfies the sequential approach.
2. The assessments undertaken by both PPC and RMLA conclude that the proposal can be supported by the catchment population of Renfrewshire.
3. The assessment above has concluded that the development would have only a slightly greater on Paisley town centre than the approved store at Love Street. As such the impact on the vitality and viability of the Strategic town centre and the secondary centres is considered acceptable.
4. The site is well served by public transport. Only the town centre is better served.
5. The Head of Roads is satisfied with the submission subject to conditions.
6. The proposed development will not adversely affect adjacent and nearby property, although it is noted that staff at the medical centre opposite the site are concerned regarding traffic levels.
7. The site currently contributes to a poor entrance to Paisley. The vacant warehouses back onto Renfrew Road and appear dowdy and neglected. The proposal would make a significant improvement. I am satisfied that the siting, design, use of materials and landscaping are appropriate to the site and improve the townscape quality of the area.
8. The Director of Environmental Services has identified some aspects which could be dealt with by condition.
9. Infrastructure requirements in relation to traffic measures and the implementation of drainage proposals could be dealt with by condition.

I consider that the development complies with the criteria set out in Table R1.

Policy R2 states that significant shopping developments of over 2000 sq m comparison, and over 1000 sq m convenience floorspace will be directed to the designated strategic town centres to support the vitality and viability of those town centres.

Such proposals will be subject to assessment against structure plan policies. The proposed development exceeds the thresholds and is located outwith the designated town centre, however it meets the sequential approach to site selection, and does not conflict with the structure plan. As such, although the development does not comply with Policy R2, I consider there is justification for departure from policy.

## **10. Material considerations**

### **10.1 Scottish Planning Policy**

SPP requires that development plans identify a network of centres rather than considering individual applications. In this case, the development plan defines the town centres and secondary centres within the Council's area. The application site is outwith those centres.

SPP states that when selecting sites for retail and commercial development the sequential approach should be used. This requires that locations are considered in the following order:

- town centre,
- edge of town centre,
- other commercial centres identified in the development plan,
- out of centre locations that are or can be made easily accessible by a choice of transport modes.

The application site is not within the town centre, and I have concluded that the proposal could not be accommodated within the defined centre. The application site is considered an edge of centre location. The site at Love Street is an out of centre location. In these circumstances SPP would prefer the application site, particularly as it is more accessible in terms of walking, cycling and public transport.

I therefore consider that the development does not conflict with Scottish Planning Policy.

#### 10.2 Objections and Pre Determination Hearing

A number of matters were raised by representees in correspondence, at the Pre-Determination Hearing, and in the letters received since that date. Many of the issues have been considered above, however, I would summarise comments on the areas of concern below.

- The applicant ion has been assessed against retail policy above and found acceptable.
- The proposed development conflicts with the business designation, and this has also been considered above.
- The sequential approach has been considered in the context of the Arnotts site and the extant consent at Love Street.
- The original retail assessment has been revised to reflect the approach taken by the Council's independent consultant (RMLA). RMLA reaches very similar conclusions in relation to the impact of the development on the town centre which is found to be within acceptable bounds.
- The submission has not quantified the spin off benefits which might accrue to existing traders however, the development represents investment at the edge of the town centre, which will draw trade back to Paisley from Silverburn and out of centre locations such as Braehead.
- The applicant has offered to revoke the planning permission for Love Street in favour of the application site which is in a sequentially preferable location.
- The amended proposal has reduced the gross and net floorspace and altered the balance of convenience and comparison floorspace.
- The overall impact of the amended proposal on the town centre is estimated to be only slightly more than the development at Love Street. RMLA agrees that the development will clawback trade lost from Paisley to Braehead and Silverburn. The amended proposal has reduced the level of comparison floorspace and therefore impact on existing outlets in the town centre.
- The various impacts and assumptions have been challenged and amended as part of the consideration of the application.
- M&S has not objected to the application.
- The applicants proposals will improve linkages to the town centre.
- In assessing applications, an authority can only assess the proposal rather than the operator.

- While reducing the amount of sales floorspace, the applicant has made it clear that he will not consider disaggregation which he states would affect the viability of the store.
- Although the Arnotts site is a substantial vacant site in the town centre, it is smaller than both the application site and the Love Street site.
- The Head of Roads has not objected to the application.
- It is acknowledged that the service trips would be additional to the current vehicle movements. However, in so far as it is anticipated that the development would enable residents of Paisley to shop more locally, ie rather than Braehead and Silverburn, it would also reduce vehicle movement.
- The application must be considered on its merits.

The only additional matter raised at the Hearing related to employment with concerns being raised regarding the impact of the development on existing jobs and the creation of new jobs. In this respect, the applicant has offered to enter into a Regeneration Partnership which would involve working with the local authority, employment agencies and Job Centre Plus to identify challenging areas and candidates.

The applicant has since confirmed that the amended proposal will generate 580 jobs.

### 10.3 Other Material Considerations

The applicant has made it clear that if planning permission is granted for the proposed development he will agree to a revocation of the planning permission granted for the development of a store at Love Street. He has made it equally clear that, if permission is not granted for the current proposal, he will proceed to implement the permission at Love Street as there is a company commitment to develop a store in Paisley in this financial year. The extant consent for Love Street is therefore a material consideration in the assessment of the current proposal. Insofar as the Love Street site is in an out of centre location, and the application site is edge of centre, the application site represents the preferred location.

### Conclusion

The proposal has been assessed above against each of the relevant policies in the development plan, and have concluded that it comprises an acceptable development. Whereas it would undoubtedly be preferable if it were to be sited in a town centre location, an edge of centre site is considered appropriate in this instance and, in relation to the retail policies in the structure and local plan, I am satisfied that the amended proposal does not conflict with those policies in that it can be justified against the assessment criteria of each. However, it is essential that the level of floorspace is defined, as it is the reduction now proposed by the applicant which has reduced the impact of the development on the town centre to an acceptable level, and led me to this conclusion.

The development remains contrary to Strategic Policy 5 and Policy IB1 as it represents a non-conforming use within an area designated as a Strategic Business Location. As such it comprises a departure from the development plan. However, I have concluded that as the development would represent a substantial investment in Paisley, would involve the creation of employment opportunities, and would significantly improve the appearance of this key entry point to the town centre, these are significant material consideration which militate in favour of the development.

I have therefore concluded that the requirements of town centre and retail policy should be the determining factor in the assessment of the development and in this respect am satisfied that the development is acceptable.

### **Recommendation and reasons**

I have concluded above that the proposed development can be justified against policies in the development plan and represents investment in Paisley which would drawback expenditure currently lost to the town. I therefore recommend that the Council be disposed to grant planning permission.

Insofar as the Council has a financial interest in a part of the site, and the development represents a significant departure from the development plan, there is a requirement to refer the application to the Scottish Ministers. I have also simplified the wording of the condition recommended by BAA.

In addition, there are matters which require to be the subject of legal agreement and these have been summarised in the report above. Other aspects can be dealt with by condition, and these are listed below.

---

### RECOMMENDATION

Disposed to grant

---

### Other Action

1

Refer the application to the Scottish Ministers as the Council has a financial interest in a part of the site and the development is substantially contrary to the development plan. In addition the standard BAA condition has been amended.

2

Subject to the conclusion of a section 75 agreement to include the following:

- the unopposed revocation of the outline planning permission and reserved matters consent granted for the erection Class 1 retail superstore & ancillary car parking, landscaping, petrol filling station & ancillary works at Love Street, Paisley (application nos. 04/0599/PP and 07/0669/PP).
- the definition of the planning permission hereby granted in terms of the size of store and its use.
- the provision of a 3 hours limit for shopper parking and its operation in accordance with the Council's parking strategy
- the provision of a shopper bus and its route and frequency
- the formation of a Regeneration Partnership in relation to jobs

3

Subject to the conclusion of a section 69 agreement to include the following:

- % for art
- funding for public realm works

### Conditions and Reasons

1

That planning permission lapses on the expiration of a period of 3 years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

- 2 For the avoidance of doubt, planning permission is granted for a self-service store selling primarily food and supported by a car park. The store shall have a maximum gross floor area, of 11,069 square metres and a net floor area of 6,419 square metres, of which 3,419 square metres shall be used for the sale of convenience goods and 3,001 square metres shall be used for the sales of comparison goods.

Prior to the commencement of works on site, the developer shall submit plans for the written approval of the Planning Authority which demonstrate the floorspace areas detailed above. Thereafter, the store shall not be subdivided nor shall the maximum gross floor area be extended, howsoever calculated, by the extension of the mezzanine floor level without the prior written approval of the Planning Authority.

Reason: To define the consent.

- 3 Development shall not begin until an investigation of the site has been undertaken in accordance with the methodology set out in British Standard BS 10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice. The report on such an investigation together with a scheme to deal with any contamination on site shall be submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:

- i) the nature, extent and type(s) of contamination on the site;
- ii) measures to treat/remove contamination to ensure the site is fit for the use proposed;
- iii) measures to deal with contamination during construction works;
- iv) the condition of the site on completion of decontamination measures; and
- v) all relevant reports relating to the decommissioning and remediation works at the former petrol filling station (e.g. desk study, site investigation, risk assessment, remediation strategy and validation report).

Before any part of the site is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority

Reason: In the interests of amenity.

- 5 No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted and any mitigation measures to satisfy this condition are submitted to and approved in writing by the Planning Authority. The Rating level of plant noise emitted from the site shall not exceed 35 dBA between 2300 hours and 0700 hours on any day, and 43 dBA between 0700 hours and 2300 hours on any day. The noise levels shall be determined by measurement or calculation at the nearest noise sensitive property. The measurements and assessment shall be made according to BS 4142:1997.

Thereafter any necessary measures shall be completed before the development comes into operation.

Reason: In the interests of amenity.

- 6 Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall comply with BAA's Advice Note 8 'Potential Bird hazards from Building Design'.

The Bird Hazard Management Plan shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: It is necessary to manage the roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Glasgow Airport.

- 7 That, prior to the commencement of works on site, a detailed method statement shall be submitted which includes suitable abatement measures to ensure that the potential negative impacts of demolition/construction on air quality are minimized, as recommended in the submitted report on Air Quality, as recommended in the submitted report on Air Quality. The method statement requires to be approved in writing by the Planning Authority before works commence on site and thereafter the development shall proceed in accordance with the approved details.

Reason: To accord with Planning Advice Note 51 - Planning, Environmental Protection and Regulation.

- 8 That prior to the commencement of works on site, details shall be submitted of the proposed heat and power plant, including fuel type, for the written approval of the Planning Authority. Thereafter, the development shall proceed only in accordance with the approved details.

Reason: To accord with Planning Advice Note 51 - Planning, Environmental Protection and Regulation.

- 9 That all of the road and access improvements recommended in the Transport Assessment shall be implemented to the satisfaction of the Planning Authority subject to the submission and approval of the details required by conditions 10, 11, 12 and 13 below.

Reason: In the interests of pedestrian and traffic safety.

- 10 That prior to the commencement of works on site, a detailed scheme for the design and specification for the site access; the signalisation and infrastructure modifications to the A741 Renfrew Road, Niddry Street and Wallneuk Road; and the alterations to the junction of Glasgow Road/Incle Street/Mill Street/Gauze Street shall be submitted to and approved in writing by the Planning Authority. The details shall generally accord with Arup drawing numbers SK016 and SK017 and the proposed modifications to the local road network shall in all respects comply with the Design Manual for Roads and Bridges, the Council's Guidelines for Development

Roads and the Scottish Government's 'Cycling by Design Manual'.

Thereafter the approved details shall be completed to the satisfaction of the Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of traffic and pedestrian safety.

- 11 That prior to the commencement of works on site, a detailed scheme for the design and specification of the proposed improvements to pedestrian and public transport facilities at Renfrew Road, Weir Street, Wallneuk Road, Ince Street and Smithhills Street as outlined in paragraphs 4.2.2 and 4.2.4 of the Arup Scotland Supplementary Transport Assessment, and indicated on Arup Scotland drawings SK016 and SK017, and Figure 9, shall be submitted to and approved in writing by the Planning Authority. The proposed modifications to the local road network shall, in all respects, comply with the Design Manual for Roads and Bridges, the Council's Guidelines for Development Roads and the Scottish Government's 'Cycling by Design Manual'.

Thereafter the approved details shall be completed to the satisfaction of the Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of traffic and pedestrian safety.

- 12 That, within 3 months of the date of opening of the retail store hereby approved, the developer shall carry out an operational review of the affected road network to ensure that changes to roads infrastructure and urban traffic controls are functioning properly, and that the road network is operating in a manner consistent with the analysis and findings of the Arup Transport Assessment. Thereafter, the developer shall submit proposals and make provision for any further alterations/improvements identified as necessary by the Planning Authority through the operational review, together with a timescale for their implementation.

Reason: In the interests of traffic safety.

- 13 That, prior to the commencement of works on site, a detailed scheme design and specification shall be submitted in respect of the 170 space car park and associated landscaped boundary treatment on Wallneuk Road. The submission shall generally accord with Arup Scotland drawing SK017 and shall comply in all respects with the Council's Guidelines for Development Roads and shall include the provision of four parking meters, and the alteration or replacement of the existing CCTV system to provide remote monitoring of the site from Renfrewshire House.

The submission requires to be approved in writing by the Planning Authority prior to the commencement of any construction works on site and shall thereafter be completed to the satisfaction of the Planning Authority before the existing car park and lorry park is closed.

Reason: To ensure that adequate provision is made for public parking on the site in the interests of amenity and traffic safety.

- 14 That prior to the commencement of any construction works, samples of all external finishing materials shall be submitted for the written approval of the Planning Authority in respect of type, colour and texture. Thereafter only those materials

which obtain written approval shall be used in the implementation of this planning permission.

Reason: In the interests of the amenity of the site and the surrounding area.

- 15 That prior to the occupation of the development hereby permitted, all planting seeding, turfing and earth moulding included in the schemes of landscaping and planting detailed on the approved plans, shall be completed; and any trees, shrubs or areas of grass which die, are removed, damaged, or diseased, within 5 years of the completion of the development, shall be replaced in the next planting season with others of a similar size and species;

Reason: In the interests of amenity.

- 16 That the development shall proceed in accordance with the terms and mitigation measures set out in the Drainage Assessment to the satisfaction of the Planning Authority.

Reason: To accord with Scottish Planning Policy and the Renfrewshire Local Plan.

- 17 That prior to the commencement of works on site, details shall be submitted of the proposed heat and power plant, including fuel type, shall be submitted for the written approval of the Planning Authority. Thereafter only the approved details shall be implemented in the development of the site.

Reason: To ensure that the development does not conflict with the requirements of Planning Advice Note 51 - Planning, Environmental Protection and Regulation.

Fraser Carlin  
Head of Planning and Development

Local Government (Access to Information) Act 1985 - Background Papers  
For further information or to inspect any letters of objection and other background papers, please contact John Smart at extension 5252.