



Renfrewshire
Council

DECISION NOTICE

Town and Country Planning (Scotland) Act 1997
Planning etc. (Scotland) Act 2006
Town and Country Planning (Development Management Procedure) (Scotland) Regulations
2008

TO
BAE Systems
Westcott Venture Park
Aylebury
HP18 0NP

With reference to your application registered on 17/06/2013 for Planning Permission in Principle for the following development:-

PROPOSAL

Mixed use development comprising a food retail store of up to 4000sq meters gross floor area, individual retail/commercial units, community use/library/learning resource centre, residential, park and ride and open space.

LOCATION

Royal Ordnance, Station Road, Bishopton, PA7 5NJ

DECISION

The Council in exercise of their powers under the above Acts and Orders, having considered the above proposal, the plans endorsed as relating to it and the particulars given in the above application hereby:-

GRANT Planning Permission in Principle subject to the conditions listed on the attached paper apart.

PLANS AND DRAWINGS

The plans and drawings relative to this permission are those identified in the Schedule of Plans/Drawings attached as a paper apart and forming part of this Decision Notice.

NOTE: It should be understood that this permission does not carry with it any necessary consent or approval for the proposed development under any other statutory enactments, for example Building (Scotland) Acts, Roads (Scotland) Act 1984 etc.

Dated 27/08/2013

Signed
Head of Planning a





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PAPER APART

TERMS AND CONDITIONS

- 1 That the consent hereby approved shall comprise a maximum of 40 residential units, 840 square metres commercial floorspace (including Class 1, 2 and 3 uses), 715 square metres of community uses (including the provision of a Community Centre/Resource/Library) building, and a Class 1 retail unit not exceeding 4000 square metres gross floor area (80% of which shall be allocated to convenience goods and 20% to comparison) and a park and ride facility not exceeding 300 car parking spaces.

Reason: To define the permission and to ensure that the proposed development remains consistent with the supporting documentation.

- 2 That within 10 years of the date of this permission, application for approval of all of the matters specified within this consent shall be made to the Planning Authority.

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

- 3 That before development starts within any development phase or sub-area, a written application and plans, in respect of the following matters, shall be submitted to and approved by the Planning Authority;

- (a) the siting, design and external appearance (including details of materials to be used) of all buildings and other structures within the site;
- (b) a site layout plan showing the position of all buildings, roads, footpaths, parking areas (distinguished where appropriate between private and public spaces), open space, walls and fences and landscaping;
- (c) the details of, and timetable for, the hard landscaping of the site;
- (d) details for management and maintenance of the areas identified in (c) above; and
- (e) details of the existing ground levels, and finished floor levels, in relation to a fixed datum, preferably ordnance survey.

Reason: To enable the Planning Authority to consider these aspects in detail.

- 4 That any detailed submission required by Condition 3 shall include a scheme for the provision of a mini roundabout at Station Road/Greenock Road, which shall be submitted for the written approval of the Planning Authority. The scheme submitted shall be accompanied by a phasing programme for the works and the development shall proceed solely in accordance with this programme.

Reason: In the interests of traffic and pedestrian safety.



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- 5 That any detailed submission required by the terms of Condition 3 above shall include details of any equipment required for the control of cooking odours, vapours or fumes. The use of premises for Class 3 development will require that no development shall commence until a scheme detailing the proposed ventilation and filtration systems to be used to disperse cooking fumes emanating from the premises have been submitted to and approved in writing by the planning authority. Any such scheme shall take cognisance of the Defra Publication "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust – 2005." The premises shall not be occupied unless the ventilation and filtration scheme has been implemented and is fully operational.

Reason : In the interests of amenity.

- 6 That any detailed submission required by the terms of Condition 3 above, shall include demonstration, in the form of supporting drawings and calculations, of compliance with the Royal Ordnance Design Code paragraphs 6.3-6.7 'Water Management Design Principles'.

Reason: In order to meet the requirements of the Council as flood prevention authority.

- 7 Prior to the commencement of any construction works on site, the developer shall provide for the written approval of the Planning Authority, full details of the proposed soft and water landscaping works. These shall include:-

- Grassed areas; and
- The species, number and spacing of trees and shrubs

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of visual amenity and to ensure the safe movement of aircraft and the operation of Glasgow Airport.

- 8 That any detailed submission required by Condition 3 above, shall ensure that no development within any part of the application site boundary, hereby approved, exceeds 107m in height AOD.

Reason: In the interests of amenity and Glasgow Airport safeguarding.



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- 9 That any detailed submission required by the terms of Condition 3 above, shall include a Bird Hazard Management Plan for that part of the development which shall be submitted for the written approval of the Planning Authority in consultation with Glasgow Airport. Thereafter, the Bird Hazard Management Plan shall be implemented in accordance with approved detail, 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, in consultation with Glasgow Airport.

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

- 10 That any detailed submission required by the terms of Condition 3 above, shall include a noise assessment to determine the impact of the proposed commercial development, including the supermarket and its delivery area, the bar/restaurant, the other smaller retail units and the park and ride facility and its associated changes in road layout, on the proposed residential development within the application site and the residential properties located presently on Sachelcourt Avenue. The noise assessment shall be undertaken using appropriate methodology and taking cognisance of the quantitative and qualitative means of assessment, as described within the Scottish Government's Technical Advice Note: Assessment of Noise. The assessment should assume open windows for ventilation purposes. Appropriate mitigation shall be included as part of the noise assessment where the rating level exceeds the measured background noise level (measured at the most sensitive time of day when the proposed development will be operational). Notwithstanding this, where the LA_{max} level is predicted to exceed 60dB (external) during the night period at the facade of any proposed residential development within the application site or residential property located presently on Sachelcourt Avenue, the survey shall include appropriate mitigation. The proposed development shall not be brought into operation until the mitigation measures have been completed in full.

Reason: In the interests of amenity.



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- 11 That any detailed submission required by the terms of Condition 3 above, shall include a noise assessment to determine the impact of rail noise source on the development. The noise assessment shall be undertaken using appropriate methodology and taking cognisance of the quantitative and qualitative means of assessment, as described within the Scottish Government's Technical Advice Note: Assessment of Noise. Appropriate mitigation shall be included as part of the noise assessment to ensure that internal noise levels, with windows closed, do not exceed 40dB daytime and 35dB night-time, measured as LAeq,T. Notwithstanding this, where the LAmax level is predicted to exceed 60dB (external) during the night period at the facade of any residential dwelling proposed within the application site, the development proposals shall include appropriate mitigation. The applicant shall demonstrate that noise levels within any residential garden area within the development will not exceed 55dB(A), measured as LAeq,T.

Reason: In the interests of amenity.

- 12 That any detailed submission required by the terms of Condition 3 above, shall include for any development hereby approved within the application boundary, a Local Air Quality Management Objective Report for the pollutants specified in the relevant Air Quality Regulations, made under Part IV of the Environment Act 1995. The report shall confirm that the Air Quality Management Objectives, shall not be exceeded either within the application site boundary or on Station Road or Sachelcourt Avenue to the north of the site where 'relevant exposure' is liable to occur. The survey and report shall use a method based on the principles set out in the Scottish Government publication 'Local Air Quality Management Technical Guidance LAQM.TG(09)' or a method to be agreed with the Planning Authority.

Reason: In the interests of amenity and health and safety.

- 13 Prior to any construction works commencing for any development hereby approved, within the application boundary, the following shall be submitted for the written approval of the Planning Authority:-

- a) a site investigation report, characterising the nature and extent of any soil, water and gas contamination within the site; and where remedial works are recommended therein;
- b) a remediation strategy/method statement identifying the proposed methods for implementing all remedial recommendations contained within the site investigation report, in accordance with authoritative technical guidance (including BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice; Planning Advice Note 33 (PAN 33) and the Council's publication "An Introduction to Land Contamination and Development Management").

Reason: To ensure that the site will be made suitable for its proposed use.



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- 14 Prior to occupation of any unit within the relevant phase of the development, a Verification Report, confirming completion of the works specified within the approved Remediation Strategy for that phase of the development shall be submitted to, and approved by, the Planning Authority.

Reason: To demonstrate that the works necessary to make the site suitable for use have been completed.

- 15 Prior to the commencement of trading of the single 4000 sq m retail unit, a minimum of 288 designated parking spaces and 300 Park and Ride Spaces shall be fully formed and operational. The spaces shall be hard surfaced in a material agreed with the Planning Authority and thereafter delineated on the ground.

Reason: In the interests of amenity and to ensure appropriate parking provision.

- 16 That any application for the approval of matters specified in Condition 3 above, shall confirm that the location of the 4000 sq m retail unit hereby approved shall be restricted to the area identified in blue on approved drawing no. 715-1554. The height of this unit shall not exceed a maximum height of 15 metres above ground level.

Reason: To ensure the proposal does not interfere with the continued safe operation of Glasgow Airport.

- 17 That any detailed submission required by the terms of Condition 3 above shall include details of upgrading works to Birch Road which shall be submitted for the written approval of the Planning Authority. The scheme submitted shall be accompanied by a phasing programme for the works and the development shall proceed solely in accordance with this programme.

Reason: To ensure safe vehicular and pedestrian access.

- 18 That prior to the submission of any details relating to the 4000 sq m Class 1 retail unit required by Condition 3, a design brief for that sub-area shall be submitted for the written approval of the Planning Authority. The brief shall set out the design approach and planning parameters to achieve the construction of a high quality building in terms of form, layout, massing, external finishes and architectural detailing, all of which shall be consistent with the principles of the Design Code for the Village Centre.

Reason: In the interests of visual amenity.

Note: This decision notice includes conditions which are suspensive in nature. Should development commence without compliance with these suspensive conditions, the development will be unauthorised and the Council, as planning authority, is entitled to take enforcement action under Part VI of the Town and Country Planning (Scotland) Act 1997.



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Notification of initiation of development

Notice under Section 27A(1) Town and Country Planning (Scotland) Act 1997

1. A person who intends to carry out development for which planning permission has been given must, as soon as practicable after deciding on a date on which to initiate the development and in any event before commencing the development, give notice to the planning authority as to that date.

2. The notice to be given in accordance with section 27A(1) of the Act by a person intending to carry out development must—

- (a) include the full name and address of the person intending to carry out the development;
- (b) state if that person is the owner of the land to which the development relates and if that person is not the owner provide the full name and address of the owner;
- (c) where a person is, or is to be, appointed to oversee the carrying out of the development on site, include the name of that person and details of how that person may be contacted; and
- (d) include the date of issue and reference number of the notice of the decision to grant planning permission for such development.

3. Your attention is drawn to Section 123(1) of the Town and Country Planning (Scotland) Act 1997 set out below.

“123 Expressions used in connection with enforcement

(1) For the purposes of this Act—

- (a) carrying out development without the required planning permission, or
- (b) failing to comply with any condition or limitation subject to which planning permission has been granted, or
- (c) initiating development without giving notice in accordance with section 27A(1) of this Act, or
- (d) carrying out development without displaying a notice in accordance with section 27C(1) of this Act constitutes a breach of planning control.”

NB Failure to comply with the requirements of this Notice constitutes a breach of planning control.

Attention is also drawn to Sections 27B & C of the Town and Country Planning (Scotland) Act 1997 as set out below:

“27B Notification of completion of development

(1) A person who completes development for which planning permission has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

(2) If an application to a planning authority for planning permission discloses, in the opinion of the authority, that the development in question is to be carried out in phases then any such permission granted is to be granted subject to a condition, imposed under section 37(1)(a) in respect of each phase except the last (notice of the completion of which is to be given under subsection (1)), that as soon as practicable after the phase is completed the person carrying out the development is to give notice of that completion to the planning authority

“27C (1) Display of notice while development is carried out

(1) A person carrying out development of a prescribed class must until the development is completed display a notice containing prescribed information.”

The development hereby approved falls within such a category and the notice displayed in accordance with section 27C (1) of the Act—

- (a) is to be in the form set out in the Schedule 7 and completed in accordance with the notes to that Schedule (see extract below); and
- (b) must be—
 - (i) displayed in a prominent place at or in the vicinity of the site of the development;
 - (ii) readily visible to the public; and
 - (iii) printed on durable material.



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SCHEDULE 7: Regulation 38
Form of notice to be displayed while development in progress

NOTICE

Development at [Note 1].

Notice is hereby given that planning permission has been granted subject to conditions [Note 2] to [Note 3] on [Note 4] by [Note 5].

The development comprises [Note 6].

Further information regarding the planning permission including the conditions, if any, on which it has been granted can be obtained at all reasonable hours at Renfrewshire Council, Planning and Transport Services, Renfrewshire House, Cotton Street, Paisley PA1 1LL (Tel 0141 842 5811) or at www.renfrewshire.gov.uk

Notes

Note 1 – Insert address or describe the location of development.

Note 2 – Delete “subject to conditions” if the planning permission is not subject to any conditions.

Note 3 – Insert name and address of developer.

Note 4 – Insert date on which planning permission granted.

Note 5 – Insert planning authority or Scottish Ministers and reference number on the decision this decision notice.

Note 6 – Insert description of development.

NB Failure to comply with the requirements of this Notice constitutes a breach of planning control.



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Advisory regarding the Duration of Planning Permission in Principle, Planning Permission and Listed Building Consent.

The following is advisory only and developers should satisfy themselves by reference to the relevant legislation if they are in any doubt regarding the duration of the permission.

Planning Permission in Principle - Section 59 of the Town and Country Planning (Scotland) Act 1997 generally specifies that an application for approval of matters specified in conditions (requisite approval) must be made before the latest of (i) the expiration of 3 years from the date of grant of permission; (ii) the expiration of 6 months from the date an application for the requisite approval was refused; and (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed. A planning permission in principle generally lapses on the expiration of 2 years from the date of the requisite approval being obtained unless the development to which the permission relates is begun before that expiration.

Planning Permission and Listed Building Consent - Sections 58(1) and (3) of the Town and Country Planning (Scotland) Act 1997 generally specify that planning permission and listed building consent will expire after 3 years from the date on which it is granted unless the development to which it relates has been started, or that a different period has been specified in any condition attached to the permission.



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TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under section 47 of the Town and Country Planning Act (Scotland) Act 1997 within three months beginning with the date of this notice. The notice of review should be addressed to the Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk, FK1 1XR.

A copy of any notice of appeal should at the same time be sent to the Director of Development and Housing Services, Renfrewshire Council, Cotton Street, Paisley, PA1 1JD.

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.