



PLANNING APPLICATIONS COMMITTEE

Report by Executive Director of Development and Regeneration Services

Contact: Ms L Scully Phone: 0141 287 6053

APPLICATION TYPE Outline Planning Permission

RECOMMENDATION Grant Subject to Condition(s)

APPLICATION 08/02898/DC

DATE VALID 05.11.2008

SITE ADDRESS Site At Forge Retail Park/Biggar Street/ Gallowgate Glasgow

PROPOSAL Reconfiguration of Forge Retail Park including demolition and extensions to provide foodstore (9,945 square metres) (Class 1), petrol filling station, revised access and amended parking layout for 1,778 cars (increase of 172 spaces) and landscaping

APPLICANT The Forge Retail Park Unit Trust
C/o Savills (L And P) Ltd
163 West George Street
Glasgow
G2 2JJ

AGENT Savills (L And P) Ltd
163 West George Street
Glasgow
G2 2JJ

WARD NO(S) 09, Calton

COMMUNITY COUNCIL LISTED 02_046, Camlachie (Inactive)

CONSERVATION AREA

ADVERT TYPE Bad Neighbour Development

PUBLISHED 9 January 2009

CITY PLAN Town Centre

REPRESENTATIONS/ CONSULTATIONS

- LES (Environmental Health) - No objection/Condition.
- DRS Transport - No objection, subject to condition.
- SPT - No observations.
- West of Scotland Archaeology Service - No objection.
- SP Energy Works - Objection (in case apparatus affected by proposal).

14 standard letters of representation, including two petitions with 264 signatures and 334 signatures respectively.

SITE AND DESCRIPTION

This application is for the reconfiguration of the Forge Retail Park. The Retail Park is located to the north of Biggar Street/Gallowgate (this road is part of the proposed East End Regeneration Route) to the east of Millerston Street, to the south of Airdrie to Helensburgh railway line and to the west of former Netherfield Chemical Works (now cleared).

The Retail Warehouse Park lies at the edge of Parkhead Town Centre (Tier 2). The Retail Park has one large vacant unit (the former Woolworths Big W) (9,945m²) and unit 3b (384 sq m).

Previous Site History

The site has a complex planning history. The first phase of the Forge Retail Park opened in the mid 1990s. The Retail Park as it is today was implemented in four phases.

- | | |
|---------|---|
| Phase 1 | (Two blocks of units on Millerston Street/Gallowgate either side of access road (7,065 and 5,568 sq m) (Sports World, Poundstretcher, Next, Maplin, Vacant Unit, Marks and Spencer and Harveys) and (Toys 'R' Us, Argos, Carpetright, JJB Sports) |
| Phase 2 | (Block furthest to east on Biggar Street (3,873 sq m), Comet, DSG Retail and Pets at Home) |
| Phase 3 | (Former Big W Woolworths off Beardmore Way 9,945 sq m) |
| Phase 4 | (B & Q to rear of site west of chemical works 10,537 sq m) |

Other small drive thru/restaurant outlets have also been constructed Pizza Hut, Kentucky Fried Chicken and retail unit Carphone Warehouse to the front of units in Phase 1 on Biggar Street and also a security office.

The existing floorspace in use for the Retail Warehouse Park is 36,623 m² of Class 1 (non-food retail) and ancillary hot food, 654m² and security 139m² and Carphone Warehouse 100m².

THE PROPOSAL

It is proposed to reconfigure and upgrade the Retail Park (in order to safeguard its future) with the following proposal:

- the existing Big W to be converted into a foodstore 9,945 sq m gross (occupant as yet unknown).
- the existing B & Q to be subdivided into 3 non-food retail units.
- erection of a petrol filling station and revised access.
- an increase in the number of car parking spaces to 1,778 (an increase of 172 spaces) by redesigned traffic circulation and improved landscaping of car park and boundaries to provide more attractive shopping environment.
- demolition of unit 5 (1,034 sq m) to provide better pedestrian access to rear of Retail Park and better views of the whole Retail Park from entrance and Gallowgate and creation of new units of various sizes and locations to front of Retail Park (4,206m²) and ancillary café unit 5c (93m²).
- Improvement of walkways from bus stops and Parkhead Town Centre and improvements to internal pedestrian circulation.

The proposed Retail Warehouse Park would then comprise:-

Class 1 - foodstore 9,945m² (food 6,961m², non food 2,983m²) 70% convenience and 30% comparison split.

Class 1 - non-food 28,943m² with ancillary drive thru/restaurant outlets 654m² and security office 139m².

This would entail a decrease of 360m² of non-food floorspace (taking into account the new floorspace proposed, unit to be demolished and remaining comparison floorspace that was unimplemented) and an increase of 5,100 sq m of food use (taking into account the 1,861m² of the former Aldi Supermarket).

POLICIES

DEV 5	- Other Retail and Commercial.
SC1	- The City's Hierarchy of Centres.
SC2	- Sequential Approach for Retail and Commercial Developments.
SC5	- Retail Development – related Matters
SC6	- Sales of Goods in Large Retail Stores.
SC13	- Shopfront Alterations and Shop Security.
TRANS4	- Vehicle Parking Guidelines.

ASSESSMENT AND CONCLUSIONS

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that development be assessed against the development plan.

Glasgow and Clyde Valley Structure Plan Strategic Policy 1 Glasgow (Strategic Development Locations) states that within Policy Schedule 1(a) Renewal and Safeguarding Priorities Parkhead Town Centre is to be safeguarded. Parkhead is an established major centre for retail and employment and local plans should have particular regard to the varying roles of the town centres in Schedule 1(a).

The application site Parkhead Retail Park is situated within DEV 5 Other Retail and Commercial Development Policy Principle of Glasgow City Plan which states:-

The areas designated Other Retail and Commercial provide commercial services to the general public at out-of-centre and edge of centre locations, ie outwith the defined areas of Town Centres and other traditional shopping centres.

This designation does not indicate a presumption in favour of retail or commercial leisure development and is subject to the proviso that proposals conform to the relevant policies of the City plan, particularly those relating to the sequential approach to site selection. The Council will seek to maintain and improve the quality of the environment of these areas by supporting developments that will preserve or enhance their amenity and urban design quality and by resisting those that would detract from it.

The following policies in Glasgow City Plan are relevant:-

Policy SC1 The City's Hierarchy of Centres

The Forge Retail Warehouse Park is identified as an edge of centre location in the City Plan to Parkhead Major Town Centre (Tier 2). It is an established retail location. While the application site is not identified as falling within the network of centres identified in the Structure Plan or Policy SC1 above, the proposal generally supports the aims of the site's policy DEV5 Other Retail and Commercial designation. Proposed changes to City Plan 2 seeks to bring the Retail Park into the Network of Centres as an Other Retail Centre location, where investment will be encouraged and retail floorspace may be suitable if it does not undermine the vitality and viability of town centres.

Policy SC2 The Sequential Approach for Retail and Commercial Developments

This policy states that the categories of commercial development indicated in Schedule SC(ii) (ie large retail developments including food stores over 5,000 sq m) and will be subject to a sequential approach in the selection of sites for new development. Proposals for out-of-centre commercial developments in these categories will be favourably considered only if it is demonstrated by the applicant that no in-centre (or as a second choice) edge of centre location is available for a development of the nature proposed. Edge of centre developments must be properly integrated with the centre as a whole, particularly in respect of pedestrian movement.

Comment - The applicant's sequential approach to site selection indicates that there are no available sequentially preferable town centre sites which could accommodate the proposed foodstore. The sequential approach should be applied flexibly in order to ensure developments are located in the appropriate location and in this regard the Forge Retail Park is an established retail location at an identified edge of centre location where the acceptability of food retailing, albeit at a smaller scale to that proposed, has been established. It is unlikely that the potential qualitative benefits to the Retail Warehouse Park and the Parkhead area which might be derived from the proposed reconfiguration new superstore would be achieved by disaggregation or locating elements elsewhere.

Policy SC3 - Improvements to Existing Centres

This policy states that the Council, in partnership with other public and private agencies, will seek to safeguard and enhance the vitality and viability of centres, through the encouragement of new development, control of changes of use of development, improvements to physical environment, traffic management measures, improvements to parking and public transport and measures for centre management and promotion. It is intended to produce Centre Action Plans to establish a framework for conducting health checks to monitor vitality and viability of centres.

Comment - The applicant's retail impact assessment concludes that the superstore would have 8.3% and 8.7% impacts on Parkhead and Shettleston town centres respectively, with other town centres experiencing smaller impacts. In considering how the town centres are going to withstand these impact levels qualitative health check indicators suggest how the centres are performing were concluded.

The applicant's health check indicates that in terms of shopping environment, The Forge is generally in good condition, but the traditional tenement area of the town centre is generally less well maintained. Perhaps this is reflected in the vacancy rates from the Council's survey which indicates a 15% vacancy rate in the Forge Shopping Centre and 24% in the remainder of the Town Centre with an overall town rate of 19%. These relatively high levels of vacancy throughout the town centre could suggest the Town Centre as a whole could be failing to retain and attract retailers and investment, which in turn could imply it may be susceptible to competition from nearby retail locations. There have been improvements to the Centre through its lifetime, however, and the applicant indicates that the level of vacant units within the Forge Shopping Centre will be addressed through a refurbishment programme to coincide with the Council's East End Regeneration Strategy. Within the traditional tenemental area, the quality of the shopping environment is being addressed by the £4 million Parkhead Cross Townscape Heritage Initiative which aims to preserve and enhance the Conservation Area's cultural and civic heritage, while assisting its recovery. These investments should increase the attractiveness of the Town Centre to retailers and shoppers alike.

Policy SC3 and also the East End Local Development Strategy indicates that the creation of a sustainable and vibrant Parkhead Town Centre will be progressed through the proposed Parkhead Town Centre Action Plan. This Action Plan has not yet been progressed and would have been the most appropriate mechanism to bring forward reconfiguration and superstore proposals at the Parkhead Retail Warehouse Park.

Policy SC5 Retail Development – Related Matters

This policy states that garage forecourt shops should not generally exceed a gross retail floorspace of 500m².

Comment - No details have been submitted as this application is in outline. A condition has been attached to this report restricting the gross retail floorspace to no more than 500m².

Policy SC6 Sale of Goods in Large Retail Stores

This policy states that in locations that are neither within nor on the edge of existing centres new retail developments of over 1,000m² gross retail floorspace (food) or over 2,000m² gross floorspace (non-food) will be subject to conditions limiting the use of the floorspace for the sale of convenience and/or comparison goods. Similar conditions may be imposed where the development is on a site within or on the edge of a Town Centre, if justified by circumstances.

City Plan 2 has amended this policy to include developments on the edge of Town Centres as comparison and convenience shopping have quite distinct characteristics and impacts due to frequency of visits and actual spending levels and it is necessary to ensure through use of conditions that the type of retailing applied for is not subsequently altered without full consideration of any potential effects on the pattern of retailing in the area and the vitality and viability of other Tier 1-3 centres.

The existing policy would, because of locational terms require a restriction of goods to sale of DIY, furniture, carpets and floor coverings, household textiles, electrical goods including computers and related products, office equipment, motor vehicle accessories, pet goods and gardening goods.

Individual retail warehouse units should also have retail floorspace of not less than 900 sq m gross floorspace and be for the sale of bulky goods in order to be considered as a retail warehouse and not a shop unit more suited to a Town Centre.

Comment - From the proposed site plan it can be seen that 7 of the proposed units are under 900 sq m.

A condition has been attached to this report restricting further subdivision size of units to no less than 900 sq m gross floorspace. Those existing units (Unit 1a 688 sq m, unit 3a 484 sq m, unit 3b 484 sq m, unit 5a- 697 sq m, unit 5b – 185 sq m, unit 5c – 93 sq m and unit 9 – 736 sq m which have already been subdivided and are occupied are not included. The applicant has asked that unit 5c (93m²) be a café use. This would mean units 5a and 5b would have to be one unit of 882m² which although is less than 900 sq m would be acceptable and no further subdivision of existing units.

A further condition has been attached limiting the floorspace to that applied for: Class 1 foodstore (9,945 sq m) and Class 1 non-food (28,850m²) with ancillary drive thru/restaurant 747m² and security office 139m².

With regard to restriction of goods the previous planning permission (94/01219/DC) did not restrict type of goods sold apart from retailing of food products. As this is an established retail park it is not considered reasonable to restrict the non-food retail goods (as stated in Policy SC 6).

With regard to consultations/representations on Page 1 the following are discussed in more detail:-

LES (Environmental Health) has no objections, subject to conditions relating to ground contamination, noise from completed development, provision for refuse, scheme to inhibit removal of shopping trolleys, and advise consultation with City Council Petroleum Officer re proposed petrol station. LES are not proposing to restrict the hours of operation or servicing for the foodstore or non-food retail units. Millerston Street is a busy road and the nearest residential properties are 40-50 metres distance from the proposed petrol filling station. They would propose to look in more detail at noise and other issues, ie automatic car wash, at subsequent reserved matters/full application stage.

DRS Roads has no objections subject to conditions relating to revised access plan for petrol filling station to be submitted for approval prior to occupation of unit 14 (food store), a raised central reservation island shall be provided between Gallowgate/Biggar Street roundabout and the relocated internal roundabout, detailed proposals for formation of dedicated left turn lane on Millerston Street (north) arm of Millerston Street (north) arm of Millerston Street/Gallowgate junction and safe, secure and sheltered cycle parking to be provided.

14 standard letters of representation have been received including two petitions with 264 signatures and 334 signatures respectively. The grounds of representation can be summarised as:-

- there are two multi-national food stores and petrol stations in area (Asda, Forge Centre and Tesco, Dalmarnock) and a petrol station at Bridgeton Cross.
- the existing multi-national stores have already had an adverse effect on small business growth with closure of many small businesses in food and surrounding neighbourhoods.
- there is sufficient food store provision available on local level.
- Local small businesses are struggling in current financial climate. They are hub of community where social interaction takes place.

Comment - DRS : The Retail Assessment submitted shows that the overall changes in retail floorspace proposed will result in a 360 sq m reduction in comparison (non-food) floorspace, but a significant additional net convenience (food) floorspace of 2,397 sq m would be provided within the food store. (This figure takes the existing food permission into account.)

The applicant's retail impact assessment concludes that the superstore would have 8.3% impact on Parkhead and 8.7% impact on Shettleston town centres with other town centres experiencing smaller impacts. The vacancy levels within the Parkhead Town Centre are 15% in the Forge Shopping Centre and 24% within the traditional part of the centre, an overall town rate of 19%. Measures are in place for a refurbishment of the Forge Shopping Centre and within traditional tenemental area shopping environment to increase attractiveness of Town Centre.

The Revised Assessment of Capacity and Impact submitted by the agent show the impact of the foodstore on Parkhead and Shettleston Town Centres would not be significant. The proposals would seek to improve the attractiveness of Parkhead as a retail destination and to safeguard the future operation of the Forge Retail Park.

To conclude, the proposed reconfiguration of the comparison floorspace is acceptable subject to a restriction on any further subdivision of retail warehouse units to less than 900 sq m which would introduce a slightly different character to the Retail Warehouse Park.

With regard to hours of operation, conditions have been attached for the foodstore use to be 24 hours a day, 7 days a week with 24-hour servicing time-limited to one year from date of commencement of foodstore to ensure that residential amenity is safeguarded.

The existing retail warehouse units have various permissions restricting hours of operation: some to 2000 hours and later phases to 2300 hours. A condition has been attached for hours of operation of non-retail warehouse units to be restricted from 0700 hours to 2300 hours daily.

It should be noted that the drive-thru restaurant, Kentucky Fried Chicken, already have opening hours 0800 to 0300, 7 days a week (96/01767/DC).

Taking into account the applicant's retail impact assessment on impact level of Parkhead Town Centre, the apparent relative weakness of Parkhead Town Centre (traditional vacancy levels which is subject to Townscape Heritage Initiative investment a planned long term strategy, the proposal could bring potential regeneration benefits and qualitative benefits by increased pedestrian access between edge of centre Retail Park and Town Centre and contribution to the wider regeneration of the East End.

It is recommended that outline planning permission is granted subject to the following conditions.

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with drawing number(s)

Site Plan Proposed PL(90)0003
Future Infrastructure
Development Implications PL(90)0007

Site Sections PL(90)0004

Transport Statement by DBA October 2008

Planning and Design Statement October 2008

Revised Assessment of Capacity and Impact January 2009

Health Check and Sequential Assessment Statement October 2008,

as qualified by the undernoted condition(s), or as otherwise agreed in writing with the Planning Authority.

Reason: As these drawings and statements constitute the approved development.

02. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the reserved matters) shall be obtained in writing from the Planning Authority prior to the start of any work on site. All reserved matters to be submitted for approval within three years of the date of this permission.

Reason: In compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997.

03. Before any work on the site is begun, a comprehensive site investigation for ground contamination shall be submitted to and approved in writing by the planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution "The investigation of potentially contaminated sites - Code of Practice" (BS10175:2001). The investigation report shall include a risk assessment of all relevant pollutant linkages, as required by Planning Advice Note PAN 33 Revised 2000 Development of Contaminated Land. Where a risk assessment identifies any unacceptable risk or risks, it shall include a detailed remediation strategy. The approved remediation works shall be carried out prior to the commencement of development on site other than that required to carry out remediation.

Reason: To ensure the ground is suitable for the proposed development.

04. Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

05. Before any work on the site is begun, details of refuse and recycling storage areas and bins shall be submitted to and approved in writing by the planning authority. These facilities shall be completed before the development/the relevant part of the development is occupied.

Reason: In order to protect the visual amenity of the surrounding area.

06. Details of a suitable scheme to be developed by the applicant to inhibit the removal of shopping trolleys from the curtilage of the shopping centre by structural means. Details of the scheme shall be submitted to and approved by the Planning Authority prior to the commencement of works.

Reason: To ensure that shopping trolleys associated with this development do not give rise to environmental or travel movement problems in the area by being discarded in inappropriate places.

07. A suitably revised plan that indicates the proposed amendments and necessary access/egress works on Millerston Street/Beardmore Way, including the means of accessing the proposed petrol filling station in its revised location, shall be submitted to the Planning Authority for approval as part of the approval of the reserved matters application and be implemented prior to the completion and occupation of Unit 14.

Reason: To limit the scope of drivers wishing to cut across the main access off Gallowgate/Biggar Street roundabout.

08. A raised central reservation island shall be provided between the Gallowgate/Biggar roundabout and relocated internal roundabout.

Reason: In the interest of the safety of the users of the premises.

09. Detailed proposal for the formation of a new dedicated left turn lane on Millerston Street (north) arm of the Millerston Street/Gallowgate junction shall be submitted to the Planning Authority for approval as part of the approval of reserved matters application and be implemented prior to completion and occupation of Unit 14.

Reason: In the interest of the safety of the users of the premises.

10. Safe, secure and sheltered cycle parking shall be provided.

Reason: To comply with Policy TRANS 6 of Glasgow City Plan.

11. The floorspace of the reconfigured Forge Retail Park shall be that applied for:

Class 1 - food store 9,945m² of which 6,961m² is convenience and 2,983m² is comparison and

Class 1 - non food retailing 28,850m², units 21, 22 and 5c as cafe/restaurant, 747m², security office, 139m² and petrol filling station (of no more than 500m² gross retail floorspace).

Reason: To comply with approved plans and city Plan Shopping Policies.

12. With the exception of Units 1a, 3a, 3b 5 and 9 no other retail warehousing units shall be further subdivided to less than 900 sq m gross floorspace.

Reason: In order to be considered as a retail warehouse and not a shop unit which would compete with the adjoining Parkhead Town Centre.

13. For the avoidance of doubt units 5a and 5b shall be one unit of 882m² and unit 5c shall be cafe of 93m².

Reason: To comply with approved plans and City Plan Shopping Policies.

14. The garage forecourt shop of the proposed petrol filling station shall not exceed 500m² gross retail floorspace.

Reason: In order to comply with Shopping Policy SC 5 of Glasgow City Plan.

15. Approval of the details of corporate signage zones on the buildings, signage boards (hereinafter called the reserved matters) shall be obtained in writing from the planning authority prior to start of work on site. All reserved matters to be submitted for approval within three years of date of this permission.

Reason: In compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997.

16. The use of the foodstore shall be 24 hours a day, 7 days a week for the store with access to and from the development for the servicing/delivery of the premises and subsequent traffic movement associated with, time limited to 24 hours a day, 7 days a week for 1 year from commencement of operation of foodstore.

Reason: To enable the use to be adequately controlled and to remain compatible with the character of the surrounding area.

17. The proposed hours of operation of the non-food retail warehouse units shall be restricted to the following hours of operation: 0700 hours to 2300 hours daily.

Reason: To enable the use to be adequately controlled and to remain compatible with the character of the surrounding area.

18. A management plan/operational statement for the store and car park and servicing yard to be submitted showing between hours of 2200 and 0700.

- measures to reduce light pollution from car park and minimise use of outer car parking area.
- measures to restrict trolley movements to/from the outer car park area.
- details of when pedestrian access points to/from centre are to be operational.

Reason: In order to safeguard residential amenity.

ADVISORY NOTES TO APPLICANT

01. The applicant should consult with Land and Environmental Services (Environmental Health) concerning this proposal in respect of legislation administered by that Service which is likely to affect this development.
02. Construction and/or demolition work associated with this development should conform to the recommendations/standards laid down in BS5228 Part 1: 1997 "Noise and Vibration Control on Construction and Open Sites". Best Practicable Means as defined in Section 72 of the Control of Pollution Act 1974 should be employed at all times to ensure noise levels are kept to a minimum.
03. In order to protect local residents' amenity, noise associated with construction and demolition works in residential areas should not occur before 0800 or after 1900 Monday to Friday, and not before 0800 or after 1300 on Saturdays. Noise from construction or demolition works should be inaudible at the site's perimeter on Sundays and public holidays. The planning authority should be notified of necessary works likely to create noise outwith these hours.
04. The proposed development is within an area subject to high volumes of traffic. If the development generates additional traffic it may have the potential to adversely affect air quality and contribute to exceedences of air quality objectives as described in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland.

05. (a) A petroleum licence is required for the storage of petrol. Applicants must have written approval from the Petroleum Licensing Authority prior to any work being carried out on site. Application accompanied by detailed plans should be submitted to:-

Glasgow City Council
Land and Environmental Services
Enforcement
231 George Street
Glasgow
G1 1RX

- (b) The installation of a stage 16 vapour recovery system to reduce the discharge of petroleum vapour during tanker deliveries is mandatory for all new and redeveloped petrol filling stations. Applications for authorisation should be made to the Scottish Environment Protection Agency.

for Executive Director of Development and Regeneration Services

DC/LAS/c/2
10/06/2009

PLEASE NOTE THE FOLLOWING:

Any Ordnance Survey mapping included within this report is provided by Glasgow City Council under licence from the Ordnance Survey in order to fulfil its public function to make available Council-held public domain information. Persons viewing this mapping should contact Ordnance Survey Copyright for advice where they wish to license Ordnance Survey mapping/map data for their own use. The OS website can be found at www.ordnancesurvey.co.uk

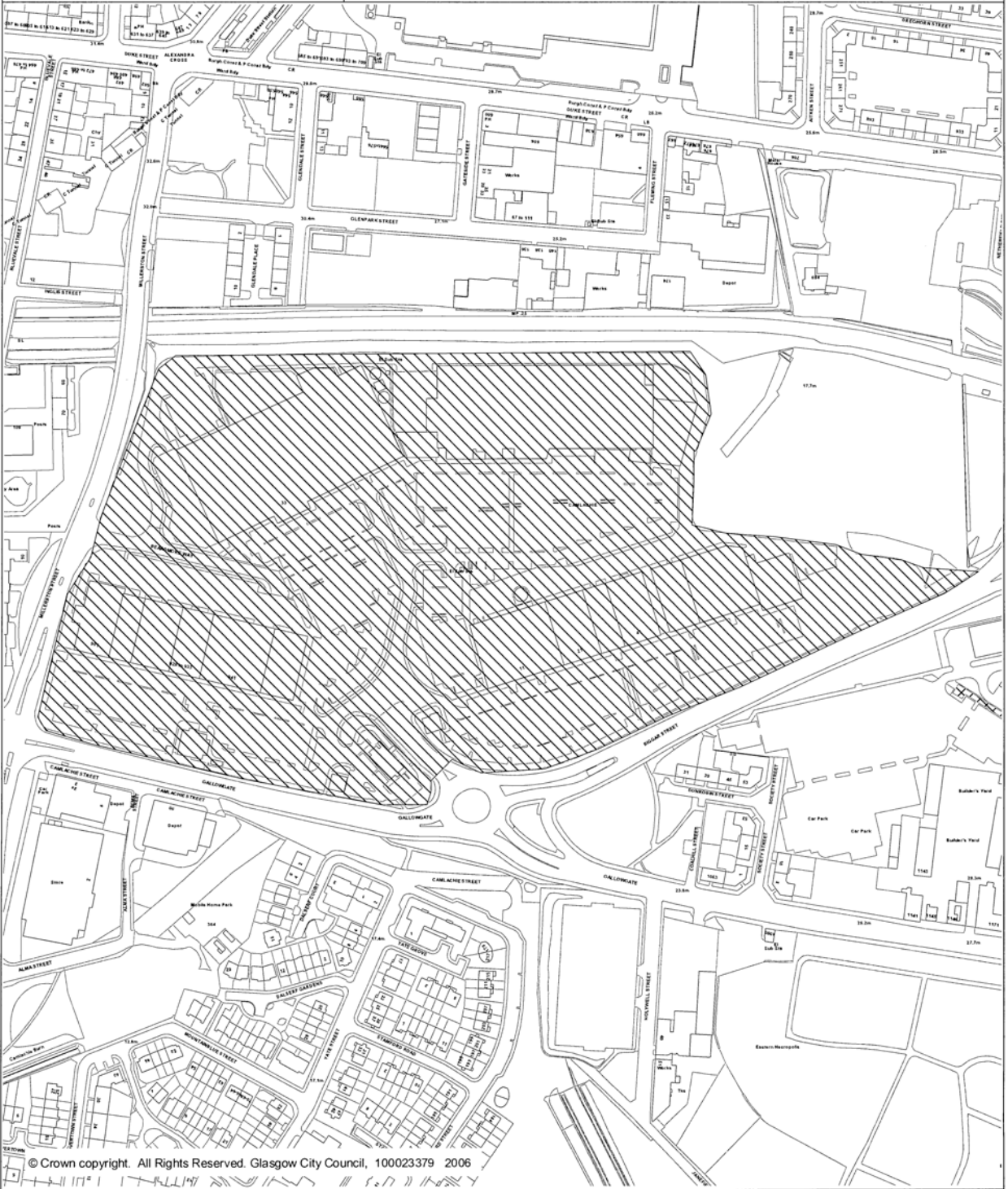
If accessing this report via the Internet, please note that any mapping is for illustrative purposes only and is not true to any marked scale.


Glasgow City Council
 Development and Regeneration
 Development Management
 229 George Street
 Glasgow G1 1 QU
 Director : Steve Inch BSc Hons DipTRP

Reference No. **08/02898/DC**
 Address : **Forge Retail Park/Biggar St/Gallowgate**

Scale : 1:3500

Indicative Site Location Ward : **09**



 Location of Site
 (For details, refer to Report)