

OBJECTION

Development at Asda Toryglen - planning applications 16/03111/DC (erection of drive-thru restaurant and petrol filling station 24hr shop) and 16/03151/DC (erection of commercial units including hot takeaway restaurants)

Summary

1. The applications should be considered as a single Major Development and since the applicant has not met the statutory requirements for pre-planning application consultation, the applications should be rejected as premature.
2. The proposed development will have a detrimental impact on the sustainable, walkable Town Centres, in conflict with the City Development Plan. Planning Obligations in the form of financial support for Town Centre development would ameliorate the applications.
3. The proposed development at this site, which is just 200 feet from Holyrood school and opposite Toryglen football centre, will have an irresponsible and detrimental impact on public health. There is already plenty of provision of unhealthy hot food takeaway, and few healthy alternatives, and further provision is unnecessary. Controls on advertising and promotions aimed at schoolchildren, plus support for local health initiatives would ameliorate the applications.
4. Strict conditions on litter control must be imposed as part of any consent to avoid anti-social and environmental problems.
5. Strict conditions on opening hours must be imposed as part of any consent to avoid anti-social behaviour problems.
6. Capacity assessments of the store access junction and on the junction of Prospecthill and Aikenhead Roads should be carried out before permission may be considered.

1. **The applications should be considered as a single Major Development and since the applicant has not met the statutory requirements for pre-planning application consultation, the applications should be rejected as premature.**

We believe Glasgow City Council may be wrong to treat the proposed development at 555 Prospecthill Road as two separate 'minor developments'. We believe GCC may have failed to follow the spirit, and possibly the letter of the 2006 Planning Act and 2009 regulations in respect of the Hierarchy of Developments. For the purposes of the hierarchy of developments the two planning applications should be considered as a single development because,

- The two applications are for the same car park at the same address, 555 Prospecthill Road.
- The two applications were made within 3 working days of each other by the same applicant through the same agent.
- The planning statements of both applications refer to both the commercial units and the drive-through restaurant.
- Both planning applications include the same supporting documents that cover all parts of both applications, specifically the PFS shop, the drive through, the commercial units and the click and collect facility. Those documents are the design and access statement; the transport statement, the tree survey and accompanying masterplan drawings.
- Glasgow City Council has treated the 2 applications together, appointing a single Planning Officer who met with the applicant's agent for pre-application discussions for both applications on the same dates (9th March and 18th October 2016).

The single development should be treated as a 'Major Development' in respect of the 2009 regulations on Hierarchy of Developments because the site is 'Other development' and "the area of the site is or exceeds 2 hectares". We have estimated the area of the full site as 4 hectares, the car park as around 3 hectares and areas declared on the planning applications total 2.91 hectares.

'Major Developments', as classified by Scottish ministers, require a period of pre-planning application consultation (PAC) with the local community. **As there has been no PAC, the applications should be rejected on the basis of being premature.**

2. The proposed development will have a detrimental impact on the sustainable, walkable, largely locally-owned stores in the Minor Town Centres, in conflict with the City Plan.

Mount Florida and Govanhill are Tier 3 town centres in the City Plan. Toryglen is recognised as a local shopping centre and the Asda site is not recognised as a retail centre.

Permission for the original Asda supermarket was granted in recognition that a large supermarket would not compete directly with small local shops. The new commercial and takeaway units represent a new and emerging retail strategy - small new commercial units on the site of a large supermarket. The development should therefore be considered with City Plan policy SC3, which outlines the sequential approach.

It is difficult to imagine uses for the proposed new units that will not be in direct competition with the nearby town centres. In Mount Florida and Govanhill a wide range of services are to be found including hairdressers, financial services, dry cleaning, florists, solicitors/ estate agents, hot takeaway, cafes, gift shops, clothing, specialist health shops, undertakers, beauty parlours, tattoo removal, electronics retail, musical instruments, betting shops, opticians.

The City Plan outlines a sequential approach for considering new developments, policy SC3, for new retail of over 1000 m². The proposed development has floor space of 1146 m². The applicant has not satisfied the requirements of the policy to demonstrate that there is no suitable, available and viable site within the nearby tier 3 centres. Furthermore, the proposed function and character of the development is non-complementary, and will compete directly with, the nearby Town Centres.

The proposed development is also in conflict with City Plan Policy SC 7 which requires that any new shopping centres should "serve the small scale day-to-day needs of the immediately surrounding residential area". As highlighted by GCC's neighbour notification, which notified only the Asda supermarket and the Asda filling station, there is no near nearby surrounding residential area.

The proposal is in conflict with the City Plan, and any permission granted should come with Planning Obligations in the form of financial support for the development of the Mount Florida and Govanhill Town Centres and for related projects identified by the local communities.

3. The proposed development at this site will have an avoidable, irresponsible and detrimental impact on public health.

The application includes a McDonalds Drive Through and 6 commercial units which may become hot food takeaways. Asda has made no commitment to ensure provision of healthy food alternatives. The Asda site is just 200 feet from Holyrood school and opposite Toryglen football centre. Hot food is already provided on site, at the Asda cafe, which serves mainly pizza, burgers and cakes. There is hot food takeaway (fried chicken) provision just 200m away from Holyrood school on Cathcart Road.

The applications should be rejected and revised with provision for healthy food. Or any permission granted should be with the following conditions:

- i) that the applicant must support healthy eating and sports programmes in conjunction with nearby secondary and primary schools; and
- ii) that advertising and promotions of unhealthy foods aimed at school children, such as 'lunch time offers', be prohibited,
- iii) Planning Obligations be imposed to provide financial assistance to other health-related projects, for example planting and maintaining orchards beside Orchard Grove residential centre and at Hangingshaw.

4. Strict conditions on litter control must be imposed as part of any consent to avoid anti-social and environmental problems.

The new McDonalds and other hot takeaways will generate a large volume of additional waste packaging.

MFCC has asked Asda,

- to commit to working with Land and Environmental Services to ensure that there will be sufficient public litter bins and collection schedules to prevent littering.
- to enforce a requirement that McDonalds will carry out litter patrols 3 times per day in the area around the proposed McDonalds restaurant, and on the paths between the restaurant and Holyrood school on school days and between the restaurant and the football centre, and between the restaurant and Hampden stadium on major event days.
- to work in conjunction with nearby schools to reduce littering by school children.

Any consent for the development should include conditions on litter control, as outlined above.

5. Strict conditions on opening hours must be imposed as part of any consent to avoid anti-social behaviour problems

Asda has indicated that 24 hour opening, in line with the supermarket opening, would be appropriate. Residents have made MFCC aware of their concerns regarding late night opening, including loitering.

We ask that the applicant consult with the police on risks of late night anti-social behaviour.

We suggest opening hours of 7am to 10pm would be more suitable.

6. Capacity assessments of the store access junction and on the junction of Prospecthill and Aikenhead Roads should be carried out before permission may be considered.

According to the supporting Transport Statement by SIAS, "GCC indicated to SIAS that specific capacity assessments of the store access junction would not be required".

The view of local residents is that the area is highly congested, especially since the opening of the M74 extension and that such an assessment is critical to understanding the feasibility of the development.

There is a strong belief among residents that the proposed development will intensify existing problems with both traffic congestion and parking capacity.

We ask that the applicant complete capacity assessments before the applications are considered.