

Full Planning Application 05/02229/FUL
at
63 London Road
Edinburgh
EH7 6AA

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/02229/FUL, submitted by Roseisle Estates Limited. The application is for: **Change of use from auto windscreen replacement depot (Class 4) to general retail unit (Class 1)**

It is recommended that this application be **REFUSED**

2 The Site and the Proposal

Site description

The application site is a automobile windscreen replacement depot located on the south side of London Road.

The site is bounded to the south by Clockmill Lane, to the east by a car wash and to the west by an optometrists business and beyond that to the west a McDonalds restaurant and drive through. To the north of the site is an area of landscaping and then further north lies Meadowbank Stadium.

There is an area of ground to both the immediate north (front) and south west that is used for car parking.

The present use of the premises falls into Class use 4.

Site history

No relevant history for this site.

Description of the Proposal

The application seeks to change the use of the unit from Class 4 to Class 1 retail.

Supporting information has been submitted by the applicant in the form of a list of businesses in the area and photographs illustrating where there is existing retail on London Road. The information submitted does not take the form of a sequential test as laid out in Structure Plan policy SPRE02. It does not formally give justification for the case for the change of use to retail.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the following needs to be considered whether;

- a) The proposed land use is appropriate to the site;
 - b) There will be any road safety implications as a result of the change of use;
and
 - c) There will be any loss to residential amenity.
- a) The site is located within an area identified within the local plan as being for housing and compatible uses. The proposal site is not within a town centre, within another established shopping centre and is not situated adjacent to an established shopping centre.

Policy RET1 of the Lothians structure plan would only be supportive of such a change of use if there was evidence to suggest that there were no suitable alternative locations for the proposed use within the expected catchment area in or adjacent to a town centre or in or adjacent to an established shopping centre.

The existing use is a automobile windscreen replacement centre and falls into Class 4 which continues to be an operational business. The applicant has attempted to produce evidence in support of the change of use, however has not sufficiently justified the case with the information provided and does not satisfy the requirements of the sequential approach as set out in policy RET1 of the structure plan. The proposed change of use is therefore contrary to policy RET1 and RET2 of the structure plan.

b) Transportation have indicated that they have no objections to the proposal subject to a financial contribution towards Real Time public transport facilities to the sum of £1300 and conditions providing one parking space for a disabled user and eight cycle spaces within the development. It is not considered that the change of use would intensify the access to the detriment of public safety or pose problematic in relation to access or egress onto the main road from the proposed facility.

c) The unit is positioned a sufficient distance from any residential accommodation. Environmental Services have recommended that despite this, a condition relating to noise emanating from the premises should be attached to any consent granted in compliance with NR25.

In conclusion, despite the site being suitably distanced from residential accommodation and satisfying transportation guidance, the proposal remains contrary to retail policy within the Edinburgh and Lothians Structure Plan. The applicant has not be able to supply sufficient justification for the change of use and as such the proposed retain use is not considered appropriate at this location.

There are no material considerations that outweigh this conclusion.

It is recommended that the Committee refuses this application on grounds that the proposed change of use is contrary to policy RET1 and RET2 of the Edinburgh and Lothian Structure Plan and as such the site is deemed unsuitable for a retail function.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Shelley Thomson on 0131 529 3770
Ward affected	35 - Meadowbank
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Mainly Housing and Compatible Uses
Date registered	29 June 2005
Drawing numbers/	01 - 02
Scheme	Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Graham Dixon on (0131) 529 3519. Email: graham.dixon@edinburgh.gov.uk

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail gavin.king@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

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Consultations, Representations and Planning Policy

Consultations

Environmental Services

No objection subject to condition:

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured at night within any nearby living apartment.

Transportation

No objection subject to conditions:

Consent shall not be issued until the Developer enters into a suitable legal agreement to contribute the sum of £1,300 towards Real Time public transport facilities in the vicinity of the development.

One parking space to be for disabled users.

Parking to be provided for 8 cycles, the layout and location to be to the satisfaction of the Director, City Development. These are to be located near to the front entrance of the retail unit.

Representations

No letters of representation have been received in relation to this application.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The application site is identified within the Central Edinburgh Local Plan as being within an area of housing and compatible uses.

Relevant Policies:

Policy S5 (SHOPPING DEVELOPMENT - DISTRICT AND LOCAL CENTRES) sets out criteria for assessing, new shopping development outwith the defined Retail Core, Office Core and Mixed Activities Zone.

Policy RET1 states that retail and commercial leisure developments appropriate to town centres should be located in accordance with priorities a to e

Policy RET2 states that developments referred to in RET1 will only be acceptable where criteria a to e of the policy have been satisfied.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **REFUSED** for the reasons below.

Reasons

1. The proposal is contrary to the Edinburgh and the Lothians Structure Plan Policy RET1 as it does not accord with the sequential approach to the location of such developments.
2. The proposal is contrary to the Edinburgh and the Lothians Structure Plan Policy RET2 as it does not meet other considerations required to be satisfied in the sequential approach.

End

Appendix C

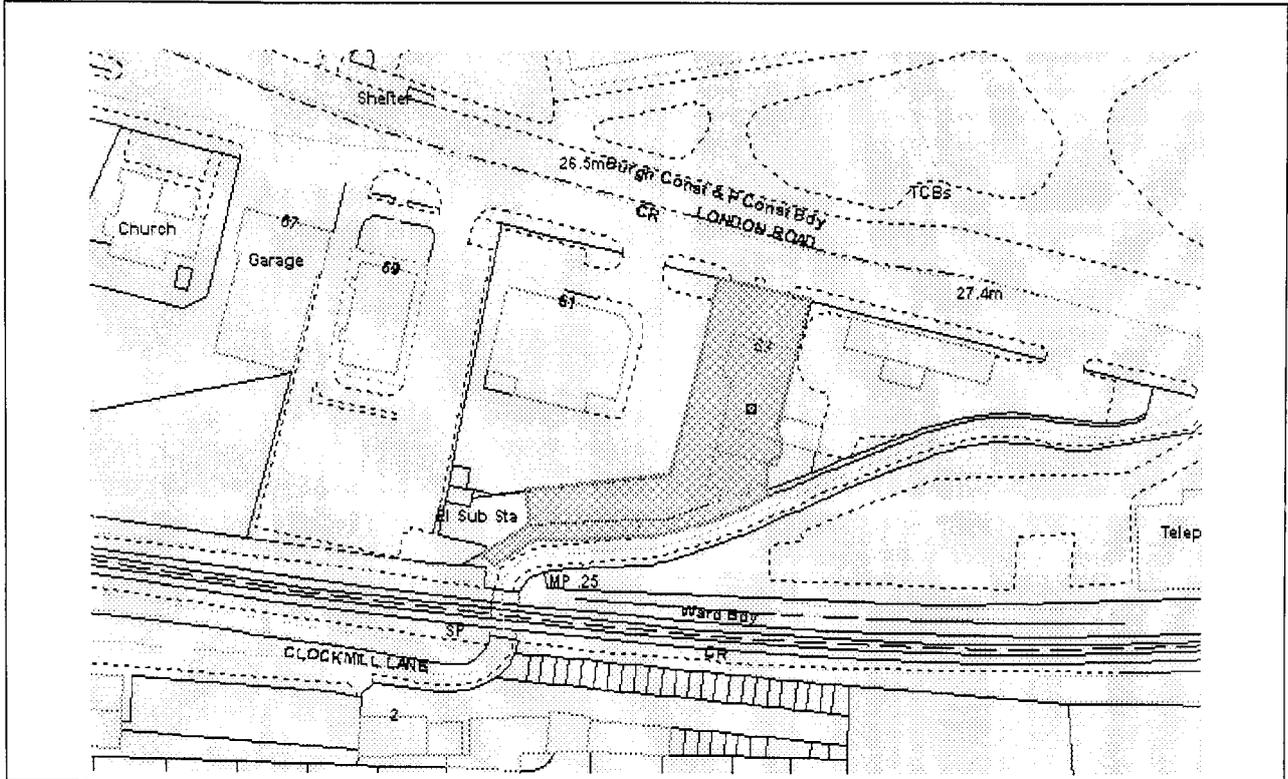


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Location Plan



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