

Full Planning Application 05/00015/FUL
at
645 Ferry Road
Edinburgh
EH4 2TX

**Development Quality Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 05/00015/FUL, submitted by Coral Estate's Ltd. The application is for: **Change of use from class 1 retail to class 2 for use as licensed betting office**

It is recommended that this application be **REFUSED** for the reasons in Appendix B.

2 The Site and the Proposal

Site description

The application site comprises a vacant shop unit within the Drylaw Shopping Centre, located on the south side of Ferry Road between Easter Drylaw View and Groathill Road. The surrounding area is residential in nature.

The shopping centre contains 23 units, 11 of which are currently in non retail use (48%).

Site history

1997 - Planning permission granted for shopfront alterations.

Description of the Proposal

The application is for a change of use from retail (Class 1) to betting shop (Class 2). No details of any external alterations have been provided.

Applicant's Supporting Statement

The applicant has provided a supporting statement, a copy of which is available in the Party Group Rooms, outlining the background to the proposal.

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 Committee needs to consider whether:

- (a) the proposed use will adversely affect the vitality or viability of the shopping centre;
- (b) there will be any adverse impact on residential amenity.

(a) The adopted North West Edinburgh Local Plan provides a maximum threshold of 20% non-retail use within the centre. The proposal would result in 52% non retail use within the centre. The proposal is contrary to Policy S3 of the Plan.

Whilst the proposed use would in principle be appropriate to a shopping centre, and thus compliant with Policy R8 of the draft West Edinburgh Local Plan, the percentage of non-retail uses is, at 48%, already above the 40% threshold permitted by Policy R10 of this Plan. Further erosion of the core retail function of the centre by increasing the level of non retail use to 52% would be likely to lead to a further loss of viability and vitality.

The vacancy period of several months quoted in the supporting statement is not sufficient to justify a relaxation of the above Policy, and no evidence of marketing of the property for a reasonable period of time has been provided within the support statement.

(b) The proposed use, within a purpose built shopping centre, would be unlikely to result in loss of residential amenity.

The proposals do not comply with the relevant Local Plan Policies.

There are no material considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application, for reasons relating to non retail uses within shopping centres.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Michael Paton -Mon, Tues, Thurs, Friday (not Wednesday) Only on 0131 529 3902 (FAX 529 3706)
Ward affected	07 - Muirhouse/Drylaw
Local Plan	North West Edinburgh
Statutory Development Plan Provision	Mainly Residential Area
Date registered	24 January 2005
Drawing numbers/ Scheme	01-03 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 blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 645 Ferry Road
Edinburgh
EH4 2TX
Proposal: Change of use from class 1 retail to class 2 for use as licensed betting office
Reference No: 05/00015/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental Services

This Department has no objection to this proposed development subject to the following conditions:

(1) The design and installation of any plant, machinery or equipment shall be such that any associated noise complies, with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

(1) All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.

Representations

No representations have been received.

Planning Policy

Draft West Edinburgh Local Plan - Urban Area

Relevant Policies:

R8 - Alternative Uses in Shopping Centres
R10 - Non-retail Uses in Local Centres
H12 - Residential Amenity

North West Edinburgh Local Plan - Mainly Residential Area, where existing residential character and amenities are to be protected.

Relevant Policies:

Policy H5 states that within areas of predominantly residential character, the establishment or extension of a non-residential use will not be permitted if likely to lead to an unacceptable loss of amenity through increased traffic, unsightliness or noise.

Policy S3 sets criteria for protecting the retail function in existing shopping centres.

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Conditions/Reasons associated with the Recommendation

Recommendation

To recommend that this application be **Refused** for the following reasons

Reasons

1. The proposal is contrary to North West Edinburgh Local Plan Policy S3, in respect of Existing Shopping Centres, as the proposal would further increase the level of non retail use within the shopping centre above the 20% threshold, to the detriment of the vitality and viability of the shopping centre.
2. The proposals are contrary to draft West Edinburgh Local Plan Policy R10 (Non retail uses in shopping centres), as the proposed use would further increase the level of non-retail use above the 40% threshold, to the detriment of the viability and vitality of the shopping centre.

End

