

Full Planning Application
at
62 Granton Road
Edinburgh
EH5 3QU

Development Quality Sub-Committee
of the Planning Committee

Proposal: Change of use to form hot food take-away from shop
Applicant: Mr Conafray
Reference No: 04/00260/FUL

1 Purpose of report

To recommend that the application be **REFUSED** for the following reasons;

Reasons

1. The proposal is contrary to North West Edinburgh Local Plan Policy H5, in respect of Housing Amenity, as the proposed use is likely to result in unacceptable loss of residential amenity through increased noise.
2. The proposal is contrary to the Non-Statutory Guidelines in respect of Restaurants, Cafes and Hot Food Shops, as the premises are not located within an area where a significant number of non-residential uses already exist.
3. The proposal is contrary to North West Edinburgh Local Plan Policy S3, in respect of Existing Shopping Centres, as the proposed use would result in the reduction of retail uses within the centre to below 80% of the total.

2 Main report

Site description

The application site comprises a vacant video rental shop in a two-storey block with flatted residential property above. The block comprises three units, and is considered to form part of a larger shopping parade of ten units, which includes 7 units to the south.

The centre is not specifically defined in the adopted Local Plan, but is considered to constitute "a smaller group of shops". At present it includes 8 Class 1 shops (including the application site), a veterinary surgery and an existing hot food takeaway.

Site history

3 May 1995 - Planning permission refused for change of use from shop to hot food takeaway, by reason of loss of retail unit and smell nuisance due to the relative heights of buildings.

24 October 2001 - Planning permission refused for change of use of shop to residential for the following reasons:

1. The proposal is contrary to North West Edinburgh Local Plan Policy S3, in respect of Existing Shopping Centres, as it would result in more than 20% non-retail uses in the shopping centre and would detract from its retail character.
2. The proposal is contrary to policy R8 (Alternative Uses in Shopping Centres) in the draft West Edinburgh Local Plan as it would result in the introduction of a residential use in to a shopping frontage, detrimental to its character, vitality and viability
3. The proposal is contrary to North West Edinburgh Local Plan Policy E5, in respect of Design, as proposed alterations would detract from the appearance and character of the shopping frontage.

Development

The application is for a change of use from vacant retail to hot food takeaway. Ventilation is achieved by means of an internal lined flue taken through the existing chimney.

Consultations

Environmental Services

This Department offers no objections subject to the following conditions being attached to the consent:

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

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.

The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point to ensure that no cooking odours escape or are exhausted to ridge level into any neighbouring premises, all to the satisfaction of the head of Planning.

The kitchen ventilation system being designed and installed so that gases are expelled with a minimum upward velocity of 15 metres per second.

The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operation within the application premises is audible in any neighbouring living apartment.

With respect to the fifth condition AM03C, I shall write to the applicant to advise that they seek expert advice to ensure they can achieve full compliance.

Transport

No comment

Representations

It has been certified that neighbours were notified, and the application was advertised on 20 February 2004.

Eight letters of objection, and one petition with 19 signatures have been received. Grounds of objection are noise, disturbance, litter, smell and over provision.

Policy

Draft West Edinburgh Local Plan - Urban Area

Relevant Policies:

H12 - seeks to protect residential amenity

R8 - seeks to control alternative uses in shopping centres

R10 - seeks to control non-retail uses in defined shopping centres

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.

Non-statutory guidelines 'RESTAURANTS, CAFES AND HOT FOOD SHOPS' provide guidance on the location of such uses and set out conditions to control their impact.

3 Conclusions 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 the following:

(a) Whether the proposed use will adversely affect the vitality or viability of the existing shopping centre

(b) Whether neighbouring amenity will be adversely affected.

(a) The proposed use will result in three of the ten units being in non-retail use (30%). Policy S3 of the North West Edinburgh Local Plan allows a maximum of 20% non-retail use. The proposal will adversely affect the vitality and viability of the shopping centre.

(b) The premises are not located within a busy thoroughfare where a high level of non-residential uses already exist. Neighbouring residential amenity is likely to be adversely affected by reason of noise and disturbance.

The proposals do not comply with the relevant Local Plan Policies or Non-statutory guidelines.

There are no material considerations which outweigh this conclusion.

It is recommended that the Committee refuses the application, for the reasons stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/Tel Michael Paton on 0131 529 3902 (FAX 529 3706)

Ward affected 10 -Granton

Local Plan North West Edinburgh

**Statutory Development
Plan Provision** Mainly Residential Area

File

Date registered 13 February 2004

**Drawing numbers/
Scheme** 01-02
Scheme 1



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PLANNING APPLICATION

Address	62 Granton Road, Edinburgh, EH5 3QU,		
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Application number:	04/00260/FUL	WARD	10- Granton
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			