

## Planning Permission 09/02792/FUL

at

199 - 201 Balgreen Road

Edinburgh

EH11 2RZ

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### Development Management Sub-Committee of the Planning Committee

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#### DEPARTURE FROM THE DEVELOPMENT PLAN

The development proposed by this application is a departure from the development plan:

The application was advertised as a departure from the South West Edinburgh Local Plan. The proposal is considered a justifiable departure from policy S2 of this Plan as it would safeguard the vitality and viability of this shopping centre and would comply with the policies of Edinburgh City Local Plan.

#### 1. Purpose of report

To consider application 09/02792/FUL, submitted by Mr Steven Devine. The application is for: **Change the use of the ground floor retail unit to a professional office**

It is recommended that this application be **GRANTED** subject to the conditions below.

## 2. The Site and the Proposal

### Site description

The application site is a single storey vacant shop unit, with loft space, situated within a shopping parade on the east side of Balgreen Road. The application site is adjoined by a hairdressers shop to the north and a hot food takeaway shop to the south. A row of garages is situated to the rear of the application site.

### Site History

2/6/08:- Planning permission was granted for the formation of an office within the loft space of this unit on (ref: 08/01554/FUL).

18/8/98:- Planning permission for the change of use from office to shop/workshop/store at 199/201201 Balgreen Road granted (ref: 98/01735/FUL).

### PRE-APPLICATION PROCESS

There is no pre-application history

### DESCRIPTION OF THE PROPOSAL

It is proposed to change of use of this ground floor vacant retail unit to a class 2 office use. The loft space within this shop unit has existing planning consent for office use.

#### Supporting Statement

The applicant has submitted a letter from their estate agent confirming that this property has been on the market for sale for close to 3 years. During that time they have stated that they have received various enquiries regarding its use as an office but none for a shopping use.

## 3. Officer's Assessment and Recommendations

### Determining Issues

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 use would be acceptable at this location;
- b) residential amenity would be safeguarded;
- c) it would have any implications in terms of road safety.

a) The application site is located on a protected shopping centre as designated in the South West Edinburgh Local Plan. Under policy S2 of the Local Plan, a change of use to non retail use is not supported, where it would result in 20% or more units in that centre, being in non retail use. The shopping centre affected comprises the units at 472- 480 Gorgie Road and 191 to 229 Balgreen Road. The proportion of non retail uses in this local shopping centre currently exceeds the 20% maximum of non retail uses allowed under policy S2 of the adopted local plan. The proposed use would introduce a further non conforming use in this centre, in conflict with the terms of the relevant planning policy.

The proposal however, accords with policy Ret 10 of the Edinburgh City Local Plan, as the change of use would not result in 4 or more consecutive non retail uses within this local centre. Also, as a class 2 office use would be suitable for visiting members of the public, it would maintain activity on this frontage, thereby safeguarding the vitality and viability of the shopping centre, in keeping with the terms of policies Ret 4 and Ret 10.

Furthermore, the proposal would bring back into active use, a unit which has remained vacant for a considerable period in time, thereby strengthening the character and vitality of this shopping frontage.

The proposed use is considered suitable for locating at this local centre and in keeping with the policies of Edinburgh City Local Plan. A departure from policy S2 of the South West Edinburgh Local Plan is considered justifiable in this instance.

b) There are no residential properties within this shopping parade and the closest dwelling house lies approximately 40 metres from the site. At this distance, there should be no likelihood of noise disturbance to residential properties arising from the proposed office use.

The proposal would not be detrimental to residential amenity.

c) Although there are no dedicated parking facilities indicated on the proposed plans, the site is well served by public transport services on this busy approach route to the city centre. It is also anticipated that a class 2 office use would not lead to any greater generation of traffic or demand for parking than the established retail use at the site.

The proposals are not therefore considered detrimental to road safety. There are no other infrastructural implications associated with this application.

In conclusion the proposed use is considered suitable at this location and in compliance with the policies of the Edinburgh City Local Plan. A departure from policy S2 of the South West Edinburgh Local Plan is considered justifiable in this instance.

It is recommended that Committee approves this application.

### REASON FOR DECISION

The proposal accords with the policies of the Edinburgh City Local Plan and is justifiable departure from policy S2 of the South West Edinburgh City Plan.



**John Bury**  
Head of Planning

Contact/tel	Carla Parkes on 0131 529 3925
<b>Ward affected</b>	A07 - Sighthill/Gorgie
<b>Local Plan</b>	South West Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Shopping Centre
<b>Date registered</b>	29 October 2009
<b>Drawing numbers/ Scheme</b>	01. 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](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Helen Martin on 0131 529 3517.

Email: [helen.martin@edinburgh.gov.uk](mailto:helen.martin@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 4325/4273. Alternatively, you may e-mail [aileen.mcgregor@edinburgh.gov.uk](mailto:aileen.mcgregor@edinburgh.gov.uk) or [jack.dunn@edinburgh.gov.uk](mailto:jack.dunn@edinburgh.gov.uk)

### Appendix A



**Application Type** Planning Permission  
**Application Address:** 199 - 201 Balgreen Road  
 Edinburgh  
 EH11 2RZ

**Proposal:** Change the use of the ground floor retail unit to a professional office

**Reference No:** 09/02792/FUL

Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

The application was advertised on 4 December 2009

No representations have been received.

Planning Policy

The application site is situated on a protected Shopping Centre, as designated in the South West Edinburgh Local Plan.

It is located within a Local Centre, as designated in the Edinburgh City Local Plan

**Relevant Policies:**

**Relevant policies of the South West Edinburgh Local Plan.**

Policy S2 seeks to maintain existing centres predominantly in shopping use, and sets criteria for this purpose.

Policy ED4 supports the expansion of existing businesses and the establishment of new small industrial enterprises outwith the defined "Business" areas provided that there is no likelihood of adverse effects on residential amenity. Such uses are encouraged in locations where there will be demonstrated employment benefits for local communities.

**Relevant policies of the Edinburgh City Local Plan.**

Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

Policy Ret 4 (Local Centres) sets criteria for assessing proposals in or on the edge of local centres.

Policy Ret 10 (Alternative Use of Shop Units – Elsewhere in Defined Centres) sets criteria for assessing the change of use of a shop unit to a non-shop use in defined centres (excluding core and primary frontages).

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Conditions/Reasons associated with the Recommendation

Recommendation

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

### **INFORMATIVES**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

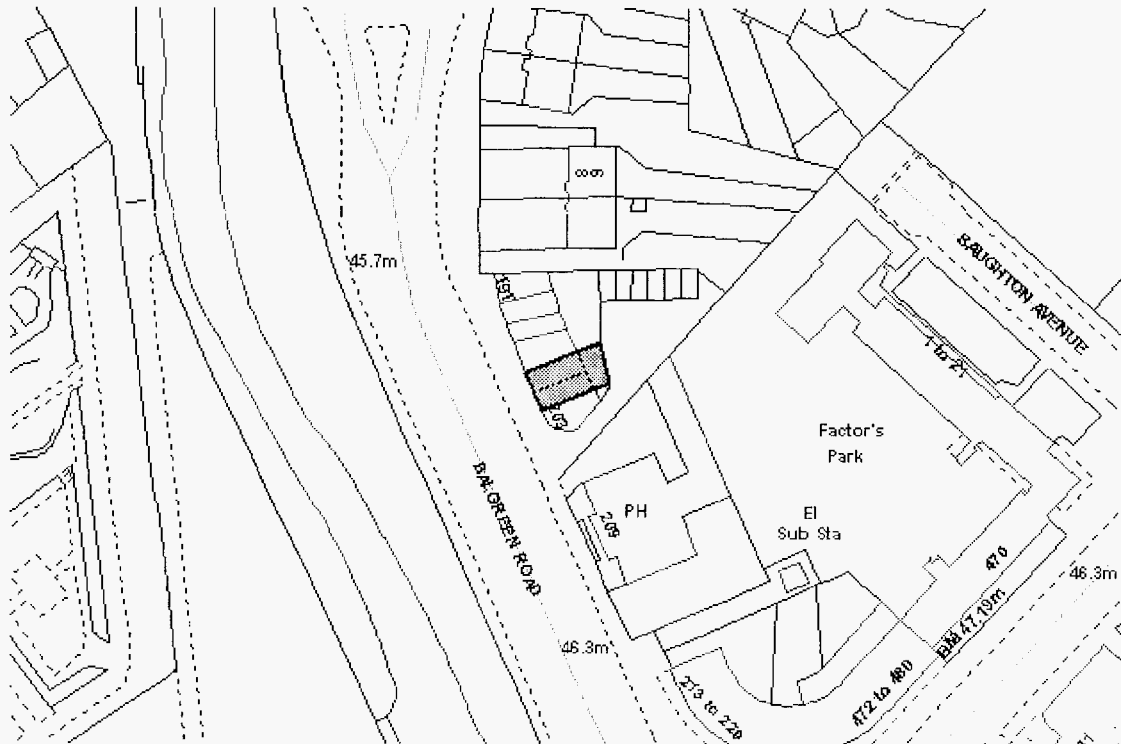
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End

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### Location Plan

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