

Planning Permission 12/00650/FUL
at
Unit 1
454 Gorgie Road
Edinburgh
EH11 2RN

Development Management Sub-Committee
of the Planning Committee

Previous Committee

This application was previously considered by Committee on **26.09.2012**

Outcome of previous Committee

This application was approved by Committee on 26 September 2012 subject to conditions and informatives including a legal agreement. The applicant has requested that these matters be progressed via a suspensive condition as opposed to the previously required legal agreement. This application is therefore being referred back to Committee to seek their approval to this approach being taken.

1 Purpose of report

To consider application 12/00650/FUL, submitted by B & M Retail Ltd. The application is for: **Change of use from car showroom to retail including removal of existing forecourt canopies and alterations to external elevations and creation of a vehicular access.**

It is recommended that this application be **Refused** by Committee.

2 The Site and the Proposal

Site description

The site is an existing car showroom which has approximately 2000 square metres of floor space set within a site area of 4,770 square metres. The site is located on the north side of Gorgie Road and lies to the south of an adult day centre. It lies to the west of a site which has recently received consent for student housing, 366 square metres of retail space and 162 square metres of office space.

To the west of the site and to the south across the road are residential properties. The site has two vehicular access points with the main one being on the western side. This access is shared with the adult training centre to the rear and also provides access to a large car storage area to the north west which does not form part of this site.

Site History

No recent history

Site History on Adjacent Site to the East.

On 7 March 2012 planning permission was granted by Committee for the demolition of all existing buildings and the erection of 318 bedroom student accommodation development incorporating 366 square metres of retail space and 162 square metres of office space (as amended) (11/02827/FUL). The decision has not been issued pending a legal agreement being entered into.

Pre-Application Process

Pre application advice was not supportive.

Description Of The Proposal

The proposal is to change the use of the premises to a 2000 square metre retail unit. The building would be retained and internally refurbished. A large front canopy would be removed. A new vehicular access is proposed at the eastern end of the site, this would lead to a public car park for 27 cars, one which is to be accessible. The proposal also includes 2 motor cycle spaces and 4 cycle spaces. Servicing of the site would be via the retained western shared access.

Supporting Documents

Transport Statement

Planning Statement

Addendum to Planning Statement

Economic and Employment Benefit Statement

These documents are available to view at the Council's Planning and Buildings Standards On-line Services.

3. Officer's Assessment and Recommendation

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) whether the proposal will adversely affect the commercial viability and vitality of existing shopping areas;
- b) whether the proposal will adversely affect residential amenity;
- c) whether the design of the development is acceptable; and
- d) whether the proposal will adversely affect transport infrastructure.

a) The application is an out of centre development as it is not physically adjacent to an existing centre nor is it located within an existing centre. It lies approximately 155 metres to the west of the Gorgie-Dalry town centre and approximately 121 metres to the east of the local centre at the junction of Gorgie Road and Balgreen Road. The proposal therefore requires to be assessed against Policy RET5 of the Edinburgh City Local Plan.

It should be noted that the Council is minded to grant consent on an adjacent site to the east for a mixed use development (11/02827/FUL). This proposal contains 366 square metres of retail space and it was considered to be edge of centre and of a scale which reflected the more traditionally sized tenement shop units that characterise the Gorgie-Dalry town centre. This site was therefore assessed against Policy RET 2 of the Edinburgh City Local Plan and found to comply.

With regard to part (a) of Policy RET 5, the applicants have demonstrated that in terms of the size of unit they require all potential sites have been assessed.

With regard to part (b) of Policy RET 5, the Council's town centre regeneration studies identified Gorgie / Dalry as one of Edinburgh's weakest performing town centres when compared against other centres which are also under tenement property alongside arterial traffic routes. A 2010 Council survey of all shops across the City revealed a vacancy rate of 12% in the Gorgie/Dalry town centre. Similar previous surveys show that the rate of decline in Gorgie/Dalry is faster than any other town centre apart from the centre of Leith. The figures show that there has been a 17% reduction in shop units since 1996 which is three times the average change across the city (5.5%). The Gorgie/Dalry town centre is therefore known to be more vulnerable to retail impacts from outwith the centre, not only in terms of trade diversion but also potentially in terms of undermining investment in improvements. This out of centre proposal will have an adverse impact upon that centre and reduce its vitality and viability. Therefore the proposal does not comply with Policy RET5 (b) of the Edinburgh City Local Plan.

The site is located on an arterial route into the city and is well served by public transport. The proposal adheres to part (c) of Policy RET 5.

The applicants have not demonstrated a need for the proposal in terms of filling a gap in the type of goods proposed for sale. These include those already offered by a wide range of retailers (mainly comparison), the only difference appearing to be the price being offered is lower than average. It is accepted that the population is expanding in this area, but not at a rate sufficient to justify considering that this proposal will fill a gap in provision when the Gorgie/Dalry town centre is known to be a weak performer. It also has to be remembered that recently consented retail developments at Longstone, Chesser and the new local shopping centre at Fountainbridge will outweigh population growth demand in the area and these supermarkets will have a significant component of non food sales which would overlap substantially with this proposal. The residential population around the site does not have a quantitative or qualitative deficiency of provision as there is good access to the existing centres. The proposal fails to comply with parts (b) and (d) of Policy RET 5 of the Edinburgh City Local Plan.

Although the applicant has pointed to employment gains at the application site, evidence from Edinburgh and elsewhere indicates that large retail developments tend to displace jobs rather than create new jobs. Draft data from Government employment surveys show that retail employment is lower in 2010 than 2000 both in Edinburgh and the wider Lothian area, despite a substantial amount of new retail space coming on stream in this period. The proposal would adversely impact upon the viability of the existing local and town centres economy and reduce employment levels in these locations. The site is within the urban area and other uses are possible on such sites which do not conflict with retail policies.

In addition, there is no evidence that there has been a growth in retail jobs in Edinburgh over the last decade despite many large food stores opening. The jobs in one store are essentially displaced from other businesses and locations.

b) The proposal will not adversely affect the current privacy of neighbouring residents. The proposal will not generate any overshadowing or contribute to loss of daylight. The proposal will not reduce the amenity of neighbours subject to conditions limiting noise, waste collections and deliveries if other aspects of the proposal are acceptable.

c) The physical changes to the building are minimal and retention of the silver and glass frontage is considered acceptable. The reduction in the number of cars from the frontage will be a visual improvement, though no details of how the area directly in front of the entrance is to be finished have been supplied. If other aspects of the development are acceptable, this matter could be the subject of a condition requiring details of the frontage. Any signage associated with the development would require the submission of an application for advert consent. The proposal will not adversely affect the character of this area of mixed building form and design.

d) The proposed car park is located to the side of the frontage and the layout is acceptable for both the service yard and the public car park. The access onto Gorgie Road for both access points is also acceptable. Cycle and motor cycle provision complies with the Council's guidelines. A former area of car display to the front of the site is left open for pedestrian access and details would have been required by condition had other aspects of the development been acceptable. The proposal is well located in relation to public transport provision and there will be no adverse impact upon transport infrastructure and road safety. If other aspects of the development were to be considered acceptable conditions could be attached.

In conclusion, the proposal is contrary to the Development Plan and will adversely affect the vitality and viability of the Gorgie/Dalry Town Centre. There are no material considerations which outweigh this conclusion.

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

Addendum
ADDENDUM 1

The application was considered at the Development Management Sub-Committee on 26 September 2012.

Committee were minded to grant, as they considered the proposal was more appropriately within the scope of Policy Ret2 (edge of centre development, within comfortable walking distance of existing shops) rather than Policy Ret5 (out of centre retail development)

Suggested conditions are:

- 1) No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- 2) The design, installation and operation 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.

Suggested informatives are:

- 1) The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
- 2) Prior to the issuing of consent, an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 will be concluded between the applicant and the Council to secure the following:

Provide 'KEEP CLEAR' markings on Gorgie Road west bound traffic lane at the developments general parking access point all at no cost to the council with markings in place prior to opening of the store to the public. Contribute the sum of £10,000 for improvements to the local road network. (Reason: the development COU proposals will increase vehicular movements on Gorgie Road and this development along with others recently approved feeding additional traffic onto Gorgie Road has identified the need for improved road infrastructure to ease the flow of traffic along this busy corridor. The contribution will be utilised to improve the Gorgie Road/Westfield Road signalised junction. The contribution payable on commencement of development and will utilised within 5 years of receipt.

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

4) Deliveries and collections, including waste collections, to be restricted to 0700-1900 hours Monday to Saturday.

ADDENDUM 2 (DATED 5 December 2012)

This application was approved by Committee on 26 September 2012 subject to conditions and informatives including a legal agreement relating to the provision of KEEP CLEAR markings on Gorgie Road and a contribution of £10,000 to improvements to the local road network.

The applicant has requested that the road markings be progressed via a suspensive condition as opposed to the previously required legal agreement. The contribution to the local road network will be done by an exchange of letters with the monies being paid up front. This application is therefore being referred back to Committee to seek their approval to this approach being taken.

The suggested condition is:

Prior to the occupation of the development the applicant shall provide KEEP CLEAR markings on Gorgie Road west bound traffic lane at the developments general parking access point all at no cost to the council with markings in place prior to opening of the store to the public. The applicant shall also contribute the sum of £10,000 for improvements to the local road network prior to the opening of the store.

REASON FOR DECISION

The Council's Development Management Committee considered the proposal was more appropriately within the scope of Policy Ret2 (edge of centre development, within comfortable walking distance of existing shops) rather than Policy Ret5 (out of centre retail development) and hence decided that the proposal was acceptable.

David R. Leslie
Acting Head of Planning & Building Standards

Contact/tel	David McFarlane on 0131 529 3512
Ward affected	A07 - Sighthill/Gorgie
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	29 February 2012
Drawing numbers/ Scheme	1,2,3,4a,5 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing at [Planning and Building Standards online services](#)

If you require further information about this application you should contact the following Principal Planner, Helen Martin, helen.martin@edinburgh.gov.uk, 0131 529 3517

Appendix A



Application Type Planning Permission
Application Address: Unit 1
454 Gorgie Road
Edinburgh
EH11 2RN

Proposal: Change of use from car showroom to retail including removal of existing forecourt canopies and alterations to external elevations and creation of a vehicular access.

Reference No: 12/00650/FUL

Consultations, Representations and Planning Policy

Consultations

Transport Planning (Development Control)

I would be pleased if the application could be continued.

*Further discussions required with the applicants agent with respect to:
Access arrangements for both customers and servicing
Parking arrangements
Right Turn Access to and from site*

A meeting has been arranged to discuss the above and submitted transport statement.

ADDITIONAL COMMENTS

I have no objections to the application having considered the updated parking and access arrangements as per Drawing No21222A (PL) 04C

Prior to the issuing of consent the applicant to enter into a suitable legal agreement to make provision for the following:

Provide "KEEP CLEAR" markings on Gorgie Road west bound traffic lane at the developments general parking access point All at no cost to the council with markings in place prior to opening of the store to the public.

Contribute the sum of £10,000 for improvements to the local road network. (Reason: the development COU proposals will increase vehicular movements on Gorgie Road and this development along with others recently approved feeding additional traffic onto Gorgie Road has identified the need for improved road infrastructure to ease the flow of traffic along this busy corridor.

The contribution will be utilised to improve the Gorgie Road/Westfield Road signalised junction .The contribution payable on commencement of development and will utilised within 5 years of receipt.

Culture and Leisure Archaeology Service

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the change of use from car show room to retail including removal of existing forecourt canopies and alterations to external alterations and creation of vehicular access.

The 1853 1st Edition OS map of the site shows that the eastern half of the proposed development overlies part of the historic Gorgie Mills, principally one of two mill lades, with the remaining part of the site forming part of Orchards associated with the former 15th century Gorgie House which stood on the same site as the mills.

The remains associated with Gorgie Mills and House should be recognised as being of regional importance and as such this application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/2011 and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan (adopted 2010) policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Although the majority of the development will have no archaeological impact ground breaking works such as the new access roads & removal of forecourt canopies must be considered as having a moderate-low archaeological impact. It is therefore recommended that a condition be attached to consent, if granted, to ensure that a programme of archaeological works is undertaken prior to/during development in order to excavate, record and analysis any significant archaeological deposits that may be disturbed.

It is recommended that the above programme of works be secured using the following condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The above work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of

archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Environmental Assessment

The application proposes a change of use of car showroom to retail (class 1) at the former Volkswagen dealership.

There are residential properties situated nearby the garage which may be affected by any noise associated with the operation of the business.

Environmental Assessment has no objections to this proposed development subject to the following conditions:

- 1. The design, installation and operation 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.*
- 2 All music and vocals, amplified or otherwise shall be so controlled as to be inaudible within any neighbouring premises.*
- 3 Deliveries and collections, including waste collections, to be restricted to 0700-1900 hours Monday to Saturday*

Should you wish to discuss the above, please do not hesitate to contact me on 0131469 5491.

Addendum

As stated above, Environmental Assessment has no objections to the approval of the application subject to the recommended conditions being attached to any consent.

NB. However, should all of the above conditions not be applied to any consent, Environmental Assessment will require to review the recommendation. In such event, it is imperative that this is notified immediately to the Environmental Assessment case officer

Representations

No representations have been received within the consultation period.

Representations, if any, are available to view in the document list at [Planning & Building Standards online services](#).

Planning Policy

The proposal lies within an area mainly allocated as being within the urban area on the Edinburgh City Local Plan.

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Ret 5 (Out of Centre Retail Development) identifies the circumstances in which out-of-centre retail development will be permitted.

Policy Tra 4 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Policy Tra 6 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Appendix B



Application Type Planning Permission
Application Address: Unit 1
454 Gorgie Road
Edinburgh
EH11 2RN

Proposal: Change of use from car showroom to retail including removal of existing forecourt canopies and alterations to external elevations and creation of a vehicular access.

Reference No: 12/00650/FUL

Conditions/Reasons associated with the Recommendation

It is recommended that this application be Refused by Committee, for the reasons below.

Reasons:-

1. The proposal will adversely affect the vitality and viability of the Gorgie/Dalry Town Centre contrary to Policy RET5 of the Edinburgh City Local Plan.

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.
2. Prior to the issuing of consent, an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 will be concluded between the applicant and the Council to secure the following:

Provide KEEP CLEAR markings on Gorgie Road west bound traffic lane at the developments general parking access point, all at no cost to the council with markings in place prior to opening of the store to the public. Contribute the sum of £10,000 for improvements to the local road network. (Reason: the development COU proposals will increase vehicular movements on Gorgie Road and this development along with others recently approved feeding additional traffic onto Gorgie Road has identified the need for improved road infrastructure to ease the flow of traffic along this busy corridor. The contribution will be utilised to improve the Gorgie Road/Westfield Road signalised junction .The

contribution payable on commencement of development and will utilised within 5 years of receipt.

3. All music and vocals, amplified or otherwise shall be so controlled as to be inaudible within any neighbouring premises.
4. Deliveries and collections, including waste collections, to be restricted to 0700-1900 hours Monday to Saturday.

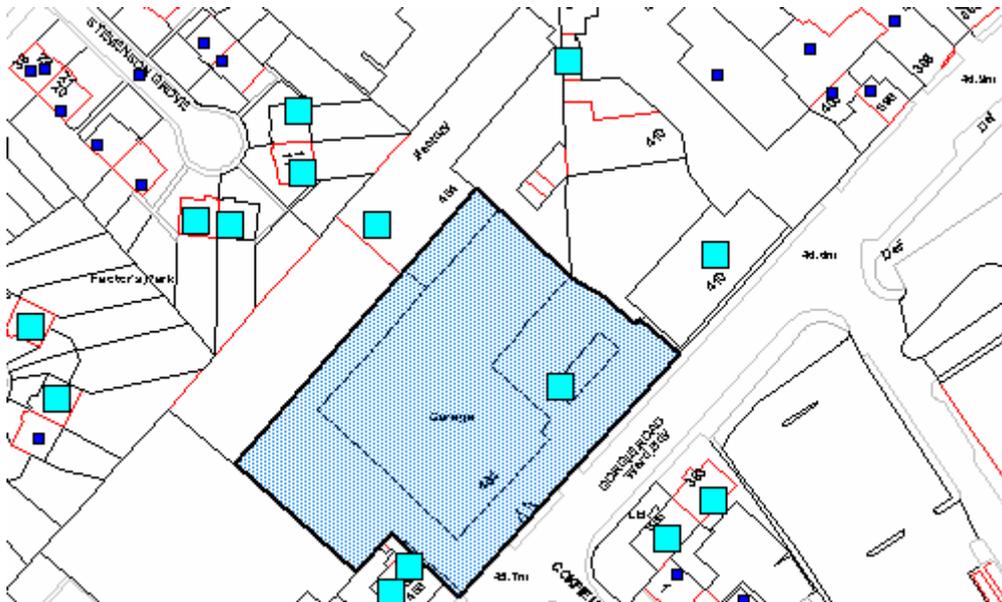
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Appendix C

Application Type Planning Permission

Proposal: Change of use from car showroom to retail including removal of existing forecourt canopies and alterations to external elevations and creation of a vehicular access.

Reference No: 12/00650/FUL



Location Plan

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