

**Full Planning Application 06/01251/FUL
at
1 + 3 Scotstoun Grove
South Queensferry
EH30 9PH**

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

7 June 2006

1 Purpose of report

To consider application 06/01251/FUL, submitted by Mr Dryburgh. The application is for: **Change of use to form pool hall from existing shop units**

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

2 The Site and the Proposal

Site description

The site comprises 2 retail units in a parade of shops. The units are vacant.

Description of the Proposal

The proposal is a change of use from existing shop units to a pool hall. The intended hours of operation would be 2pm to 11pm.

An existing door on the rear elevation would be blocked up.

The applicant has submitted a letter in support of the application. This can be viewed in the Group Rooms and covers the following issues:

- Need for social meeting place

- Retail policy
- Security and amenity
- Community support

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are whether:

- 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?

To address these determining issues the Committee needs to consider whether:

- a) The principle of the development would be acceptable;
- b) There would be any adverse effect on the amenity of nearby property and
- c) There would be any adverse effect on highway safety.

a) The proposal would result in the loss of a local shopping service and would therefore be contrary to Rural West Edinburgh Local Plan policy R1. The proposed use is not an appropriate shopping centre use and is not compatible with the centre's retail function. The loss of the units would have a harmful effect on the vitality and viability of this small centre where the aim would be to retain businesses or activities which provide a service to the local community.

The applicant states that the unit has been vacant for some time and efforts to let the premises have been unsuccessful. He also states that this would provide a service to the community. The Rural West Edinburgh Local plan 'recognises that shopping centres are appropriate locations for a range of non retail services which are compatible with the shopping areas and provide a direct service to the public'. It continues that 'these uses can add interest to the centre and widen employment opportunities but an excessive proportion could reduce pedestrian flows and detract from the shopping character'. The applicants comments are noted. However, they are not considered sufficient

to allow a relaxation of the Retail policies which aim to protect and enhance businesses and activities which provide a service in this area. There are already a number of non retail uses in the centre, and even if the loss of retail was justified, the proposed use is not one of the acceptable uses for a shopping centre listed in policy R1.

The principle of the proposed use would not be acceptable and would be contrary to both adopted and finalised local plan policies.

b) The site is close to residential property. The Director of Environmental and Consumer Services has some concerns regarding the provision of a leisure use within a primarily residential area. It is recommended that conditions are attached to any consent given to control against possible noise pollution and the hours of opening.

It is also recommended that to prevent the unit changing to another use within class 11 (Leisure) a condition be added stating that the premises be used for no other purpose than a pool hall.

These could be covered by condition.

c) Transport do not raise any objection to the proposed development.

In conclusion, while concerns about noise and hours of opening could be covered by condition, and transport issues would be acceptable. The principle of the development is not acceptable in policy terms. There are no other material considerations which would outweigh this conclusion.

It is recommended that Committee refuses this application for that reason.

ADDENDUM

The Committee was minded to grant this application at Committee on 7th June 2006 subject to conditions.

It is recommended the following conditions are attached to any consent.

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. 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.
3. All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.

4. The premises shall be used as a pool hall only and shall not be used for any other purpose within class 11 of the Town and Country Planning (Use Classes)(Scotland) Order 1997.

5. The hours of operation shall be limited to 2pm to 11pm daily.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

2. In order to safeguard the amenity of neighbouring residents and other occupiers.

3. In order to safeguard the amenity of neighbouring residents and other occupiers.

4. In order to safeguard the amenity of neighbouring residents and other occupiers.

5. In order to safeguard the amenity of neighbouring residents and other occupiers.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 04 - Queensferry

Local Plan Rural West Edinburgh Local Plan

**Statutory Development
Plan Provision**

Date registered 11 April 2006

Drawing numbers/ 1-3

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, Helen Martin on (0131) 529 3517. Email: 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 4229/4239. Alternatively, you may e-mail gavin.king@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 1 + 3 Scotstoun Grove
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EH30 9PH
Proposal: Change of use to form pool hall from existing shop units
Reference No: 06/01251/FUL

Consultations, Representations and Planning Policy

Consultations

Transport

Transport have no objections to the application.

Representations

The application was advertised on 5 May 2006. Six letters of support including one from Councillor Grubb, one from Queensferry and District Community Council and three letters of objection have been received. Points raised are as follows:

In support:

1. It will provide an opportunity for young people to develop their skills.
2. Provide a more successful facility than some of retail ventures which have been unsuccessful.
3. Better to have a well run and disciplined facility rather than a boarded up shop.
4. Pool hall would add to the shopping complex instead of detracting from it.
5. Good for South Queensferry/beneficial to area. Nothing like this at present.

Objection to:

1. Loss of future shop facility.
2. Antisocial behaviour.
3. Youths congregating and causing nuisance.

4. Unsuitable use for this location.
5. Intimidating for passers by with youngsters hanging about. This has been worsened by smoking ban inside buildings.
6. Area is too small and confined.

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

Edinburgh and Lothian Structure Plan

Paragraph 6.6 states that 'it is recognised that many smaller settlements and suburbs also have well established centres which provide a vital service to surrounding neighbourhoods.'

Rural West Edinburgh Local Plan

Protected retail frontage.

Relevant Policies:

Policy R1 seek to protect existing shops within local centres and other small parades of shops. Proposals for the change of use of a retail unit will be assessed according to the proportion of non-retail units in the frontage. Within the defined frontages of Queensferry, Currie and Balerno, proposals which would result in the consecutive location of more than three "shop units" in non-retail use, or would be detrimental to residential amenity, will not be permitted.

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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 would fail to comply with Queensferry Local Plan 2.34 and Rural West Edinburgh Local Plan policy R1 in that it would result in the unacceptable loss of retail units to the detriment of the vitality and viability of the local shopping centre

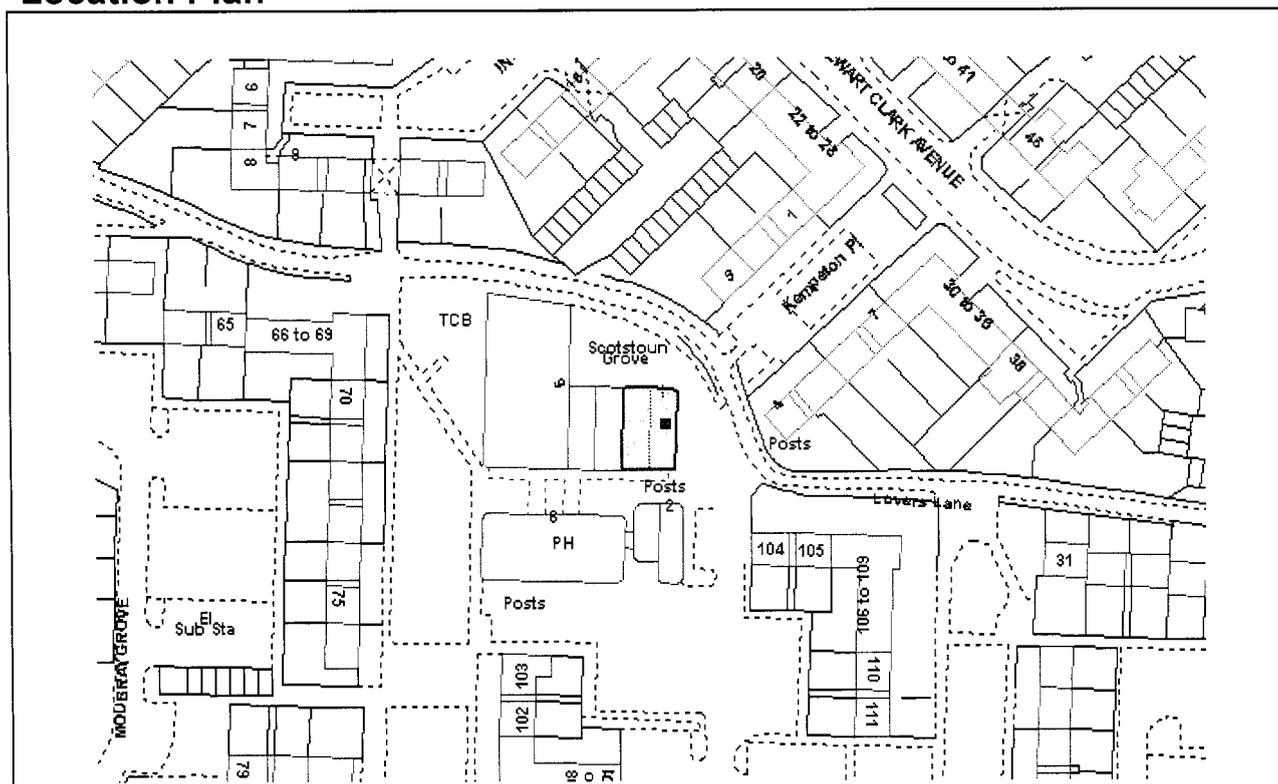
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Location Plan



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