

**Full Planning Application 05/03689/FUL
at
491-493 Calder Road
(Units 7 + 8 Sighthill Shopping Centre)
Edinburgh
EH11 4AW**

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

1 Purpose of report

To consider application 05/03689/FUL, submitted by Russel Properties (Europe) Ltd.. The application is for: **Change of use from tanning salon and vacant class 1 retail to class 2 (betting office) use**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The application site is two premises located within a parade of shops within the Sighthill Shopping Centre. They are located to the south of the shopping centre and front onto a central pedestrianised area between the units.

The shopping centre includes a car parking area to the west, accessed from Sighthill View. To the South of the application site is Sighthill Loan. The shopping centre is situated within a predominantly residential area.

Site history

November 1999 Planning permission was granted for change of use of unit 7 from retail to a tanning salon. (99/01155/FUL)

April 2005 Planning permission was refused for the change of use of two units from a tanning salon and vacant class 1 retail use to a class 2 betting office use contrary to Policy S2 of the South West Edinburgh Local Plan and Policy R10 of the Draft West Edinburgh Local Plan. In addition there would be more than 3 adjacent non retail uses and associated dead frontage to the detriment of the shopping centres retail character and contrary to Policy R10 of the DWELP. (05/00454/FUL)

Description of the Proposal

It is proposed to change the use of 2 units from a tanning salon and a vacant class 1 retail unit to a class 2 (betting shop) use.

The intended hours of operation would be 0900-2200 hours.

No external alterations have been shown for the site, the application being for change of use only.

The joint applicants are proposing to move from an existing unit (number 14) which is to be returned to a retail use. The applicants state that they would be prepared to enter into a section 75 agreement to ensure that this takes place. The applicants state that this would therefore not result in the loss of a retail unit.

A supporting letter is enclosed with the application. This states that their existing premises are inadequate as they are small and often overcrowded. They have no facilities for the less able, have only one male toilet, and are incapable of improvement. The proposal is for a relocation to a larger premises. This would allow a good circulation space and full access for the less able, with male, female and disabled toilet facilities.

A similar application was refused in April 2005, except that the applicant is now prepared to enter a legal agreement to ensure unit 14 (the existing betting office) is returned to a class 1 use. There will therefore be no loss of a retail unit.

The centre over time has had various empty units, most of which have been let fairly quickly. However, recently in the last few years it has been increasingly difficult to let empty units. The problem has been exacerbated by the development of the major shopping development of the major shopping centre within walking distance.

Unit 8 has been marketed since October 2004 which has included a 'to let' sign on the premises and on various occasions a mail shot detailing the

premises in question to retail lettings and known requirements. The only serious interest has come from a further non retail user.

The proposal can be viewed positively against the adopted local plan for the area. The proposal would support the local plan objective to secure a broad range and choice of shopping services in centres.

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 principle of the development would be acceptable;
- b) The proposal is acceptable in terms of highway and
- c) Whether there would be any adverse effect on amenity.

a) The Sighthill shopping centre serves a local retailing function. There are a number of separate businesses, including a Costcutter supermarket, public house, bank, solicitors office, retail uses and hot food shops. There is one vacant unit (no14) which forms part of the application site.

Both the adopted local plan and the emerging Draft West Edinburgh Local Plan include retail policies that are applicable to the Sighthill Shopping Centre. The current percentage of retail units in the centre is 40%, being 20% below the threshold the local plan seeks to maintain. A further change of use to non retail would result in a decrease in overall retail provision in the centre. This would be contrary to policies S2 in the adopted plan and R10 in the draft local plan. However, if as suggested a legal agreement were to be set up to ensure that the existing betting shop at unit 14 be returned to a retail use, this would (due to the merging of two units into 1) result in an increase in the overall retail percentage in the centre to 43%.

By making one large non retail unit out of the 2 existing ones, the proposal would not create 3 adjacent non retail units. The local plan policy states that no more than 3 non retail uses should be permitted in a row. The proposal therefore would be in accord with this part of the local plan policy.

b) Transport have raised no objections to the proposal. There would be no adverse effect on highway safety.

c) No comments have been received from Environmental and Consumer Services. It is recommended that conditions be imposed on any consent to protect against any possible noise pollution to neighbouring property.

In conclusion, the proposal would not have any adverse effect on the vitality or viability of the shopping centre, there would be no adverse effect on transport issues, and any possible noise problems can be dealt with by condition. There are no other material considerations which outweigh this conclusion.

It is recommended that Committee approve this application subject to the conclusion of a legal agreement prior to the issue of planning permission.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Karen Robertson on 0131 529 3990 (FAX 529 3716)
Ward affected	42 - Sighthill
Local Plan	North West Edinburgh Local Plan
Statutory Development Plan Provision	Shopping Centre
Date registered	14 November 2005
Drawing numbers/ Scheme	1-2 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,

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: 491-493 Calder Road
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Edinburgh
EH11 4AW

Proposal: Change of use from tanning salon and vacant class 1 retail to class 2 (betting office) use

Reference No: 05/03689/FUL

Consultations, Representations and Planning Policy

Consultations

Transport

Transport have no objections to the application.

Representations

The application was advertised on 25th November 2005. No letters of representation have been received.

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

North West Edinburgh Local Plan

Sighthill Shopping Centre.

Draft West Edinburgh Local Plan

Sighthill Shopping Centre.

Relevant Policies:

North West Edinburgh Local Plan

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

Draft West Edinburgh Local Plan

Policy R8 indicates, for all shopping centres, the circumstances in which the change of use of ground floor shop units will be permitted.

Policy R10 sets out additional criteria for assessing proposals for the change of use of ground floor shop units in the defined local centres.

Policy H12 states that development which would result in an unacceptable reduction in amenity for residents in the locality will not be permitted.

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Conditions/Reasons associated with the Recommendation

Recommendation

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

Conditions

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

Reasons

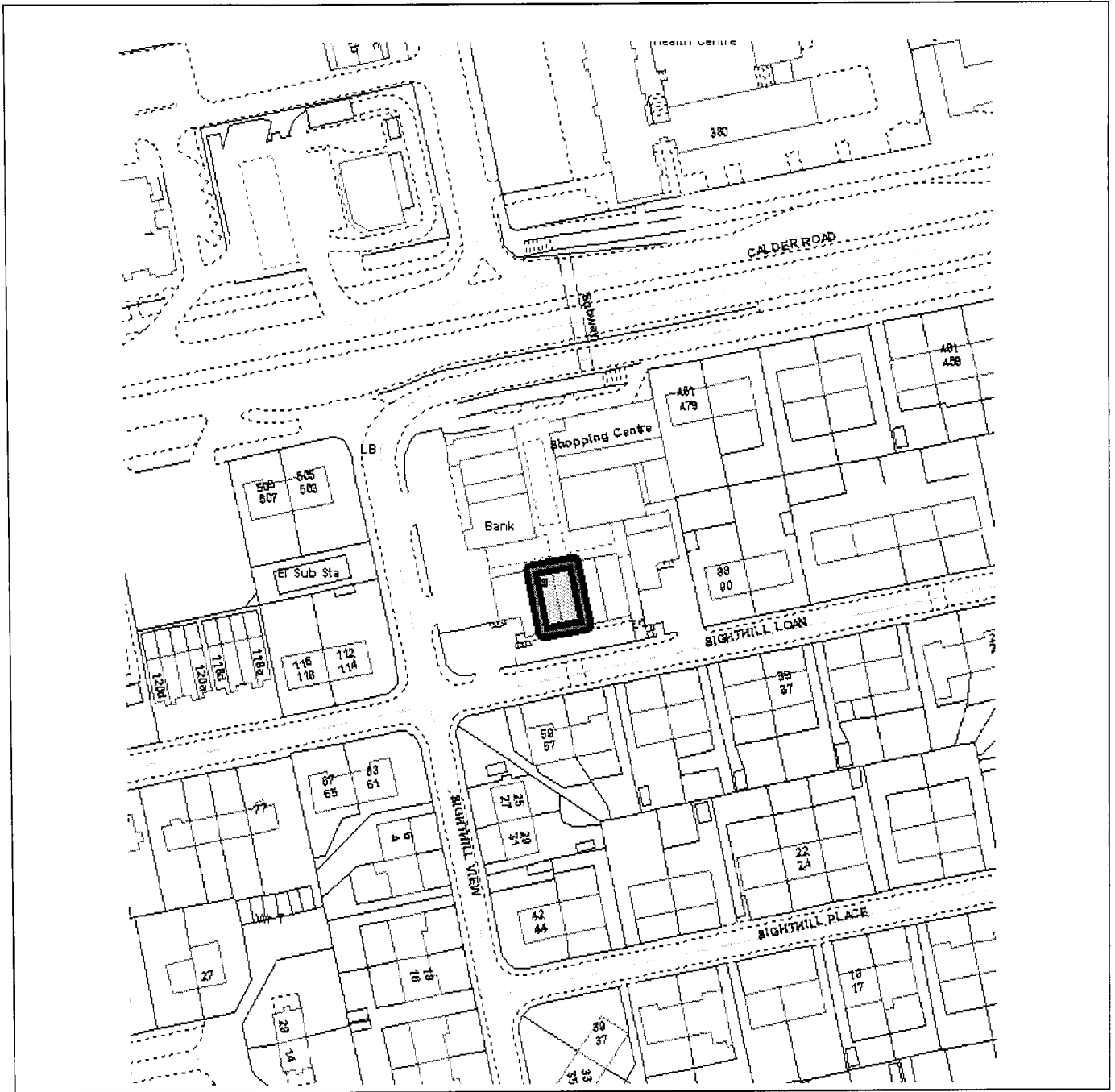
1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

INFORMATIVES

It should be noted that:

1. Development shall not commence until the applicant has entered into a suitable legal agreement to ensure unit 14 at the Sighthill Shopping Centre is reverted to retail use.

End



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PLANNING APPLICATION

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**THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**