

Development Management Sub Committee

Wednesday 2 December 2015

**Application for Planning Permission 15/04516/FUL
At 124 Colinton Road, Edinburgh, EH14 1BY
Proposed change of use from Public House to new Dentist
Surgery.**

Item number	4.4
Report number	
Wards	A09 - Fountainbridge/Craiglockhart

Summary

The change of use complies with policy Ret 4 of the Edinburgh City Local Plan and will not have a detrimental impact on the vitality and viability of Craiglockhart Local Centre.

This proposed change of use would allow a vacant unit to be utilised for a commercial and/or community service Class 2 use.

Links

[Policies and guidance for this application](#) LPC, CITR4, CITR10, NSG, NSBUS,

Report

Application for Planning Permission 15/04516/FUL At 124 Colinton Road, Edinburgh, EH14 1BY Proposed change of use from Public House to new Dentist Surgery.

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The application property is located on 124 Colinton Road and is currently vacant. It was previously used as a public house (sui generis). The property is single storey (with basement) and is one in a row of units.

The site is located within the Craiglockhart Local Centre which consists of numbers 2-4 Craiglockhart North and 118-142 Colinton Road which equates to nine commercial units. Currently there is a mix of uses with six of the nine units in a variety of Class 1 retail uses and the remaining three having Class 2 (dental clinic), Sui Generis (public house) and Restricted Class 3 (hot food take-away).

2.2 Site History

06 March 2002 - Planning consent granted for shop front installation (application number: 02/00090/FUL).

25 April 2002 - Planning consent granted for advertisement for the public house (application number: 02/00873/ADV).

Main report

3.1 Description Of The Proposal

The proposal is for a change of use from a Sui Generis use (public house) to Class 2 use (dentist). Class 2 use is financial, professional and other services.

There are internal alterations proposed at ground floor level and the basement floor will be used as a staff area.

There are no proposed external alterations.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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?

3.3 Assessment

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

- a) the proposed use is acceptable in this location;
- b) the proposals are detrimental to residential amenity;
- c) there is any impact on traffic and road safety;
- d) any impacts on equalities or human rights are acceptable; and
- e) comments raised have been addressed.

a) Principle

This site is located within the Craiglockhart Local Centre and policy Ret 4 of the Edinburgh City Local Plan applies. The main part of this policy relates to retail development in or on the edge of a local centre but this is not relevant to this application as the existing and proposed use does not involve retail. However, the policy does state,

"Proposals for non-retail development in a local centre which would have detrimental impact on the function of the centre will not be permitted".

The proposed use complements the existing local centre. Although objectors state that there is already a dental clinic in the local centre, it is not within the remit of Planning to assess over provision of a certain business type within that use. The application must be assessed on the proposed change of use to Class 2 only.

The change of use will remove a potentially noise generating use and this is supported by Environmental Assessment.

This local centre is relatively small in size with a total of nine commercial units. Two of the units are vacant. This application site has been vacant for two years causing 'dead frontage'. This change of use would not impact on the retail provision, which would remain at six. It would result in two of the units being in Class 2 use and one of the vacant units being occupied. By allowing this change of use, a commercial and/or community service would be introduced and this will add to the vitality and viability of the local centre.

The principle of this proposal complies with Edinburgh City Local Plan Policy Ret 4.

b) Impact on Amenity

There would be no impact on residential amenity in terms of noise or loss of sunlight/daylight.

Environmental Assessment was consulted and viewed the change of use as a 'planning gain'. No objection was raised.

c) Traffic and Road Safety

There is designated on-street parking for this local centre and a bus stop, therefore there are no traffic and road safety issues with regards to this application.

Transport Planning was consulted and raised no objection.

d) Human Rights and Equalities

This application was assessed in terms of Human Rights and Equalities. No impact was found.

e) Public Comments

This application received 14 letters of representation, one of which was from Craiglockhart Community Council. All of the representations were objecting to the proposal.

Material Considerations

- This change of use would lead to more 'dead frontage' - this has been addressed in section 3.3a) of the assessment.
- This change of use would adversely impact on the character of the Local Centre - has been addressed in section 3.3a) of the assessment.
- There will not be a healthy mix of units within the Local Centre - has been addressed in section 3.3a) of the assessment.
- There will be a concentration of non-shop use within the Local Centre - has been addressed in section 3.3a) of the assessment.

Community Council Material Considerations

- Not a mix of uses - has been addressed in section 3.3a) of the assessment.

Conclusion

This small local centre hosts a variety of uses, the predominant use being retail. This proposed change of use would allow a vacant unit to be utilised for a commercial and/or community service Class 2 use; at present this unit is creating a 'dead frontage' and is not contributing to the local centre's vitality and viability.

There are no changes to the exterior of the building currently proposed, and further consents would be required for alterations to the shopfront.

In conclusion, it is considered that this change of use complies with Edinburgh City Local Plan policy Ret 4 and will not have a detrimental impact on the vitality and viability of Craiglockhart Local Centre.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

This application received 14 letters of representation, one of which from Craiglockhart Community Council. All of the representations were objecting to the proposal.

Material Considerations

- This change of use would lead to more 'dead frontage';
- This change of use would adversely impact on the character of the Local Centre;
- There will not be a healthy mix of units within the Local Centre; and
- There will be a concentration of non-shop use within the Local Centre.

Non-Material Considerations

- There is an established Dental Practice at present.

Community Council Material Considerations

- Not a mix of uses.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)

- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

Edinburgh Local Plan - Urban Area
This site is also located within a the Craiglockhart Local Centre

Date registered

30 September 2015

Drawing numbers/Scheme

01-05,

Scheme 1

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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).

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Appendix 1

Application for Planning Permission 15/04516/FUL At 124 Colinton Road, Edinburgh, EH14 1BY Proposed change of use from Public House to new Dentist Surgery.

Consultations

Environmental Services

The applicant proposes the change of use of an existing public house to a dentist surgery (class 2) at 124 Colinton Road. This is a gable end property which is attached to another commercial use (retail) to the north and separated by a narrow passage to a hot food takeaway to the south. The closest residential dwellings are at first floor level, approximately 20m to the south.

The proposed change of use from a licensed premise to a class 2 property can be seen as a planning gain as the potential for a negative impact on amenity is reduced; therefore, Environmental Assessment has no objections to this proposal.

Transport Planning

I have no objections to the application.

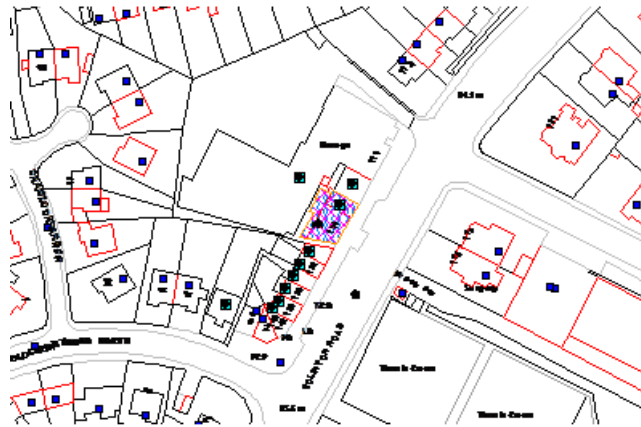
Community Council Comments

The Craiglockhart Community Council is in a process of change at the moment, there are few members, including myself, and I am at the moment dealing with planning applications, of which there are a few right now. I did not see the Application above until Friday, 30th October and made my Objection on behalf of our Community Council, but the Objection would not go through. I tried again through the Planning Portal the next day, to be told that the time for Objections had finished. I discussed the situation with Councillor Corbett. I should be obliged if you will now accept this late Objection on behalf of our Community Council.

On behalf of Craiglockhart Community Council, I wish to Object to the proposed change of use for the Pub at Happy Valley, 124 Colinton Road, Edinburgh.

This small area of shops is designated in the Local Plan as an area of retail. We very much require the return of a food shop of some kind, if possible, but certainly do not need a second Dental surgery.

Location Plan



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