

Development Management Sub Committee

Wednesday 24 April 2019

**Application for Planning Permission 18/10539/FUL
At 4 Huly Hill Road, Newbridge, EH28 8PH
Change of use from industrial unit to leisure use at 4 Huly
Hill Road Newbridge EH28 8PH.**

Item number	4.11
Report number	
Wards	B01 - Almond

Summary

The proposal is contrary to Policies Ret 1, Ret 8, Emp 8 and Tra 1 of the Local Development Plan (LDP). It has not been adequately demonstrated that the proposal will not have an adverse impact on the vitality and viability of existing town centres, the site is not easily accessible by public transport and the proposal would lead to significant travel demand on a daily basis which would have to be met by car travel. In addition, the development would result in the loss of industrial floor space and the introduction of a non-conforming use within a business and industry area.

Links

<u>Policies and guidance for this application</u>	LDPP, LEMP08, LTRA01, LRET01, LRET08, LTRA12, NSGD02,
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Report

Application for Planning Permission 18/10539/FUL At 4 Huly Hill Road, Newbridge, EH28 8PH Change of use from industrial unit to leisure use at 4 Huly Hill Road Newbridge EH28 8PH.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The site is a vacant industrial unit situated on the western side of Huly Hill Road. The site includes a section of car parking at the front of the unit and an associated yard to its rear. The site covers a total area of 0.51 hectares. The surrounding area is entirely industrial in nature and is characterised by industrial units of a similar size and design.

The site is located in the Newbridge Business and Industry Area as designated in the adopted Edinburgh Local Development Plan.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal seeks planning permission for a change of use of premises from an industrial unit (class 5) to a children's soft play area (Class 11). The proposal includes the use of the yard at the rear of the premises as car parking.

Supporting Documents

The applicant has submitted the following supporting documents which are available to view via Planning and Building Standards Online Services:

- Planning Report 2019
- Additional Supporting Information.

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 development is acceptable in principle in this location;
- b) the proposal raises any issues in respect of aerodrome safeguarding;
- c) the proposal raises any issues in respect of transport and parking, and
- d) any matters raised in representations have been addressed.

a) Principle of the Proposal

The site is located within the Newbridge Business and Industry Area as designated in the Edinburgh Local Development Plan.

Policy Ret 1 of the adopted Edinburgh Local Development Plan (LDP) outlines that planning permission will be granted for commercial leisure uses following a town centre first sequential approach. If a development is proposed outwith a town centre and is contrary to the development plan, a retail impact analysis will be required to demonstrate that there is no significant adverse effect on the vitality and viability of existing town centres. In addition, policy Ret 8 outlines that planning permission will be granted for entertainment and leisure development outwith preferred locations provided all potential city centre locations have been discounted as unsuitable, the site is easily accessible by a choice of means of transport and the proposal will not lead to an unacceptable increase in traffic locally.

The application site does not lie within a town centre. No impact analysis has been submitted to demonstrate that the proposal complies with the sequential location approach outlined under policy Ret 1, or that the proposal will not have a significant adverse impact on the vitality and viability of existing town centres.

The site is not well served or easily accessible by public transport. There is no tram stop located within close proximity to the site, although one bus stop is located within walking distance of the unit on Old Liston Road to the north. However, it is served by just two bus routes, only one of which provides a link to the city centre.

In addition to the above, Policy Emp 8 supports proposals for business, industrial or storage development on sites identified on the Proposals Map as part of a 'Business and Industry Area'. However, development, including a change of use, which results in the loss of business, industrial or storage floor space or potential will not be permitted in these areas. This policy aims to retain a range of employment sites across the city where new and existing businesses can operate, expand or relocate. In this instance the proposed change of use to a Class 11 leisure use will result in the loss of a unit suitable for employment purposes.

The proposal is contrary to Policies Ret 1, Ret 8 and Emp 8 of the Local Development Plan and is not acceptable in principle.

b) Aerodrome Safeguarding

Edinburgh Airport was consulted on the proposal owing to the proximity of the site to the Edinburgh Airport Public Safety Zone. Edinburgh Airport raised no objection to the proposal.

The proposal does not raise any issues in respect of aerodrome safeguarding and complies with LDP policy Tra 12.

c) Transport and Parking

LDP policy Tra 1 outlines that the suitability of a proposal for major travel generating development which would generate significant travel demand and is located in a non-city centre site will be assessed having regards to the accessibility of the site by modes other than the car.

As stated in section a) of the report, the site is not in a location which is well served by public transport and is not easily accessible by bus or tram. The proposed use of the site as a soft play area would lead to significant travel demand on a daily basis which, given the location of the site, would have to be met by car travel.

The Roads Authority was consulted on the proposal and raised no objection on the grounds of the proposed parking provision on the site.

The proposal would generate significant travel demand and is not situated in a location which is easily accessible by public transport. The proposal is contrary to LDP policy Tra 1.

d) Matters Raised in Representations

Support Comments

Material Considerations

- Proposed use is acceptable in principle and is appropriate for the location - addressed in section 3.3 (a).

Conclusion

In conclusion, the proposal is contrary to Policies Ret 1, Ret 8, Emp 8 and Tra 1 of the Local Development Plan (LDP). It has not been adequately demonstrated that the proposal will not have an adverse impact on the vitality and viability of existing town centres, the site is not easily accessible by public transport, and the proposal would lead to significant travel demand on a daily basis which would have to be met by car travel. In addition, the development would result in the loss of industrial floor space and the introduction of a non-conforming use within a business and industry area.

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

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to the Local Development Plan Policy Emp 8 in respect of Business and Industry Areas, as it would involve the loss of business, industrial or storage floorspace and the introduction of a non-conforming use.
2. The proposal is contrary to the Local Development Plan Policy Ret 1 in respect of Town Centres First Policy, as it has not been demonstrated that there will be no significant adverse impact on the vitality and viability of existing town centres.
3. The proposal is contrary to the Local Development Plan Policy Ret 8 in respect of Entertainment and Leisure Developments in other locations, as all potential city centre or town centre options have not been thoroughly assessed, and the site is not easily accessible by a choice means of means of transport.
4. The proposal is contrary to the Local Development Plan Policy Tra 1 in respect of Location of Major Travel Generating Development, as the proposed use of the site as a soft play area would lead to a significant travel demand on a daily basis which would need to be met by car travel.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Fifty eight letters of support were received in respect of the proposal. A full summary of the matters raised in these representations can be found in section 3.3) of the main report.

Background reading/external references

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

Statutory Development

Plan Provision

The site is designated as being within a Business and Industry Area in the adopted Edinburgh Local Development Plan (LDP).

Date registered

21 December 2018

Drawing numbers/Scheme

01-04,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Emp 8 (Business and Industry Areas) protects identified areas for business, industrial and storage development.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

LDP Policy Tra 12 (Edinburgh Airport Public Safety Zones) establishes a presumption against new development within the Airport Public Safety Zones apart from in exceptional circumstances.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Application for Planning Permission 18/10539/FUL At 4 Huly Hill Road, Newbridge, EH28 8PH Change of use from industrial unit to leisure use at 4 Huly Hill Road Newbridge EH28 8PH.

Consultations

Roads Authority

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. *The applicant should be required to provide:*
 - a. *12 cycle parking spaces;*
 - b. *2 disabled parking spaces;*
 - c. *2 electric vehicle spaces;*
 - d. *2 motorcycle parking spaces.*

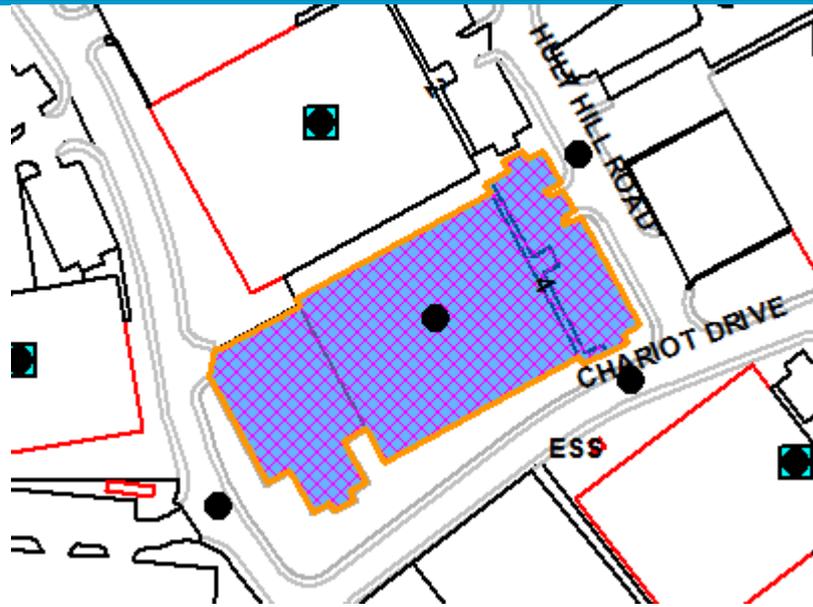
Note:

The Council's current parking standards do not include standards for this type of leisure use. The existing 45 car parking spaces are to be retained and the above cycle parking etc. is considered appropriate for that level of car parking.

Edinburgh Airport

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

Location Plan



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