

**Full Planning Application 05/01238/FUL
at
19A Main Street
Balerno
EH14 7EQ**

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

1 Purpose of report

To consider application 05/01238/FUL, submitted by Holmoak Properties.
The application is for: **Change of use from flat to office**

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

2 The Site and the Proposal

Site description

The property is a detached two storey stone and slate building located within the Balerno Conservation Area. The ground floor of the building is in commercial use whilst the first floor has an office and two flats all accessed from a common stair. The flat that is the subject of this application fronts onto Main Street.

The property is located within the local centre of Balerno where the majority of ground floor properties are in commercial usage whilst the upper floors are residential.

Site history

27 June 1990, planning consent for the change of use of two residential flats, 19A & 19B Main Street, to offices was refused, reference 843/90/14.

21 November 1990, planning consent was granted on appeal for the change of use of two residential flats to offices, appeal decision P/PPA/LA/726. One of the offices is now operating.

12 July 2000, planning consent was granted for the change of use of 19A Main Street from residential to an office, reference 00/00661/FUL. This consent has yet to be implemented and will expire next month.

Description of the Proposal

It is proposed to change the use of the residential flat to an office. The proposal is the same as application 00/00661/FUL. As with the previous proposal there would be no external alterations to the property and the proposed office would operate between 9am and 5pm.

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 the determining issues, the Committee need to consider:

- a) Whether the proposed use is acceptable in this location;
 - b) Whether the proposal would have an adverse impact upon the character or appearance of the Balerno Conservation Area.
 - c) Whether the proposal is detrimental to residential amenity of road safety.
- a) The proposal fails to comply with Policy 2.32 of the Currie Balerno Local Plan (CBLP) which resists the loss of residential accommodation. However,

the Council's non-statutory guidelines on the Loss of Residential Use and policies within the Finalised Rural West Edinburgh Local Plan (FRWELP) are material considerations in this instance.

A policy controlling the loss of residential use is not included in the FRWELP and the Council's guidelines state:

"The strategy of the Rural West Edinburgh Local Plan seeks to encourage the provision of job opportunities and local services within areas of predominantly residential character. This area suffers less pressure for the loss of residential uses than urban Edinburgh. Accordingly, the general presumption against the loss of residential use does not apply in the area covered by the Rural West Edinburgh Local Plan."

The principle of the proposal is deemed to be acceptable.

b) The proposal would not affect the character or appearance of the Balerno Conservation Area as no external alterations are proposed and the area is in mixed use.

c) The proposed office is reasonably small and will only operate between the hours of 9am and 5pm. Subject to condition controlling noise the proposal is not considered to affect the amenity of the neighbouring residential property.

There is no on site parking and as a result Transport have advised that, subject to the applicant making a contribution towards public transport infrastructure improvements, the proposal will have no impact upon road safety. The contribution would be made via a legal agreement and is required due to an increased use of public car parking in the area following the renovation of the retail area.

To conclude, the proposal complies with the emerging development plan and Non-statutory guidelines, there would be no impact upon the conservation area and residential amenity or road safety will not be affected.

There are no material planning considerations which outweigh this assessment.

It is recommended that the Committee approves this application, subject to a noise condition contribution and concluding an appropriate legal agreement for transport.



Alan Henderson
Head of Planning and Strategy

Contact/tel	Kevin Murphy on 0131 529 3794
Ward affected	01 - Balerno
Local Plan	Currie Balerno
Statutory Development Plan Provision	Residential
Date registered	27 April 2005
Drawing numbers/ Scheme	1-4 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 blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 19A Main Street
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Proposal: Change of use from flat to office
Reference No: 05/01238/FUL

Consultations, Representations and Planning Policy

Consultations

Transport

No objections to the application subject to the following

Developer to enter into a suitable legal agreement to contribute the sum of £2500 for improvements to the public transport infrastructure. Contribution payable on occupation of the offices.

Environmental and Consumer Services

This department has no objection to this proposed development subject to a condition controlling noise from plant and machinery in order to not exceed NR25 in the nearest living apartment being attached.

Balerno Community Council

No objections to the proposed change of use.

Representations

The application was advertised on 13 May 2005.

No letters of representation were 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

The proposal lies within a housing area in the Currie Balerno Local Plan area where existing residential character and amenities are to be safeguarded. The site is similarly allocated in the Finalised Rural West Edinburgh Local Plan.

The site is also within the Balerno Conservation Area where the existing architectural, historic and landscape character are to be maintained and enhanced.

Relevant Policies:

Currie Balerno Local Plan

Policy 2.32 states that the residential character of existing housing areas will be maintained and that changes of use or new developments which would result in loss of amenity or of residential accommodation will not be permitted.

Policy 2.62 states that the Council will seek to ensure the conservation and enhancement of areas and of individual buildings of architectural quality and historic interest, including the historic pattern of streets and spaces.

Finalised Rural West Edinburgh Local Plan

Policy H6 protects the residential amenity within areas defined as "Housing and Compatible Uses" on the proposals map.

Policy E35 seeks the retention of all features which contribute to the special character and appearance of Conservation Areas.

Policy ED2 states that small scale business development will be encouraged generally within the built-up areas providing no adverse effects on residential amenity or the environment will result.

Non-statutory Guidelines

Non-statutory guidelines 'LOSS OF RESIDENTIAL USE' provide a policy context for considering proposals for the change of use of properties in residential use.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED** subject to the conditions below.

Conditions

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. Prior to the issue of consent an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997, or other appropriate legal agreement shall be concluded between the applicant and the Council to provide £2,500 for improvements to the public transport infrastructure on the occupation of the offices.

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 interests of road safety.

