

FALKIRK COUNCIL

Subject: CHANGE OF USE FROM RETAIL UNIT TO OFFICE/SHOWROOM SPACE TO ACCOMMODATE GRANGEMOUTH TRANSITION TOWN PROJECT (RETROSPECTIVE) AT 78 LA PORTE PRECINCT, GRANGEMOUTH FK3 8BG FOR THE HELIX TRUST - P/10/0498/FUL

Meeting: PLANNING COMMITTEE

Date: 22 September 2010

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Depute Provost Allyson Black
Councillor Angus MacDonald
Councillor Alistair McNeill
Councillor Robert Spears

Community Council: Grangemouth, Middlefield and Westfield.

Case Officer: David Paterson (Planning Officer) Ext, 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site comprises a former retail shop unit which is located on the north side of Kerse Road, Grangemouth at the west side of La Porte Precinct entrance.
- 1.2 It is proposed to use the former retail shop unit for Class 2 office use. It is noted that the site is currently being used for this purpose and, consequently, the application is retrospective. The purpose of this application is to formalize the Class 2 office use.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application relates to land in the ownership of the Council, and, under the Council's amended scheme of delegation, such applications require the consideration of the Planning Committee.

3. SITE HISTORY

- 3.1 There is no site history for this application.

4. CONSULTATIONS

- 4.1 The proposed development is considered to be "not applicable" under the terms of the Health and Safety Executive's Planning Advice for Development near Hazardous Installations (PADHI+).

5. COMMUNITY COUNCIL

5.1 No representation received.

6. PUBLIC REPRESENTATION

6.1 No letters of public representation received.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

7a The Development Plan

Falkirk Council Structure Plan

7a.1 The application does not raise any strategic issues. There are no relevant policies within the Falkirk Council Structure Plan.

Grangemouth Local Plan

7a.2 Policy GRA2 – “Development Within The Urban Area” states:

That within the urban area, urban uses will generally be acceptable provided they accord with all other relevant district council policies and standards of provision.

7a.3 It is considered that the proposal accords with the relevant policies and standards of provision of the Council.

7a.4 The proposed development accords with Policy Grangemouth Two.

7a.5 Policy Grangemouth Seven ‘Major Hazard Consultation Zones’ states:

“That within a major hazard consultation zone development will not normally be permitted unless the District Council is satisfied that future users or occupants will not significantly add to the number of people exposed to the existing risks in the area.”

7a.6 It is not considered that the proposal would add to the number of people exposed to existing risks in the area.

7a.7 The proposed development accords with Policy Grangemouth Seven.

7a.8 Policy Grangemouth Eight ‘Town Centre Shopping Frontages’ states:

“That within those shopping frontages indicated on figure 2 the district council will not normally permit changes of use other than shops as defined by class 1 of the Town and Country Planning (Use Classes) (Scotland) Order, 1973. In certain circumstances, favourable consideration may be given to applications for restaurants and cafes provided that, in the opinion of the District Council, such applications would be of benefit to, and would reinforce, the shopping function of the area.”

7a.9 The application site is located at the entrance to the La Porte Shopping Precinct and has previously been used as a retail shop unit. Prior to the proposal, and the current use of the unit a Class 2 office use, the unit was vacant. It is noted also that the unit is not a protected shopfront under the terms of Policy Grangemouth Eight.

7a.10 Accordingly, the proposed development accords with the Development Plan.

7b Material Considerations

7b.1 Material considerations are the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010) and the consultation response in respect of PADHI+.

Falkirk Council Local Plan Finalised Draft (Deposit Version)(April 2007) as amended by the Final Proposed Modifications (June 2010).

7b.2 Policy EP4 'Business and Industrial Development within the Urban and Village Limits' states:

- "(1) New business and industrial development, or extensions to such uses, will be supported within the business areas highlighted in Policy EP2 and EP3(1), where it accords with the use specified for the area, is compatible with the established level of amenity in the business area, and protected habitats and species are safeguarded in accordance with Policy EQ24. Office development will also be supported within the Town and District Centres, providing it is also consistent with the specific policies for the relevant centre, particularly with regard to the safeguarding of the centre's retail function.*
- (2) Outwith these areas, proposals within the Urban Limit will only be permitted where the nature and scale of the activity will be compatible with the surrounding area, there will be no adverse impact on neighbouring uses or residential amenity, and the proposal is satisfactory in terms of access, parking and traffic generation."*

7b.3 The site is located at the entrance to the La Porte Shopping Precinct. However, the site is not within the core retail area as identified by the emerging Falkirk Council Local Plan. It is not considered that there would be a significant impact on the retail function of the shopping centre, or any interruption of the retail pattern of the identified core retail area.

7b.4 The proposed development accords with Policy EP4.

7b.5 Policy EP18 - 'Major Hazards' states:

"Within the Major Hazard and Pipeline Consultation Zones identified on the Proposals Map, proposals will be judged in relation to the following criteria:

- (1) The increase in the number of people exposed to risk in the area, taking into account the advice of the Health and Safety Executive, any local information pertaining to the hazard, and the existing permitted use of the site or buildings; and*
- (2) The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means."*

7b.6 It is not considered that there would be any increase in the number of people exposed to risk in the area.

7b.7 The proposed development accords with Policy EP18.

- 7b.8 Accordingly, the proposal accords with the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010).

Consultation Responses

- 7b.9 It is noted that the proposed development is deemed to be “not applicable” under the terms of the Health and Safety Executive’s PADHI+ consultation system. This would confirm that it is not envisaged that the proposed development would add to the number of people exposed to risk in the area.

7c Conclusion

- 7c.1 The proposed development accords with the Development Plan and the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010).
- 7c.2 The application site is not a protected shop frontage under the terms of the Grangemouth Local Plan and is not within the core retail area as identified in the emerging Falkirk Council Local Plan. It is not considered that the proposed development would interrupt the shopping pattern of the core retail area.

8. RECOMMENDATION

- 8.1 It is recommended that Committee grant planning permission.

Informative(s):

1. For the avoidance of doubt, the plan to which this consent refers bears our reference 01.

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Director of Development Services

Date: 15 September 2010

LIST OF BACKGROUND PAPERS

1. Grangemouth Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010).

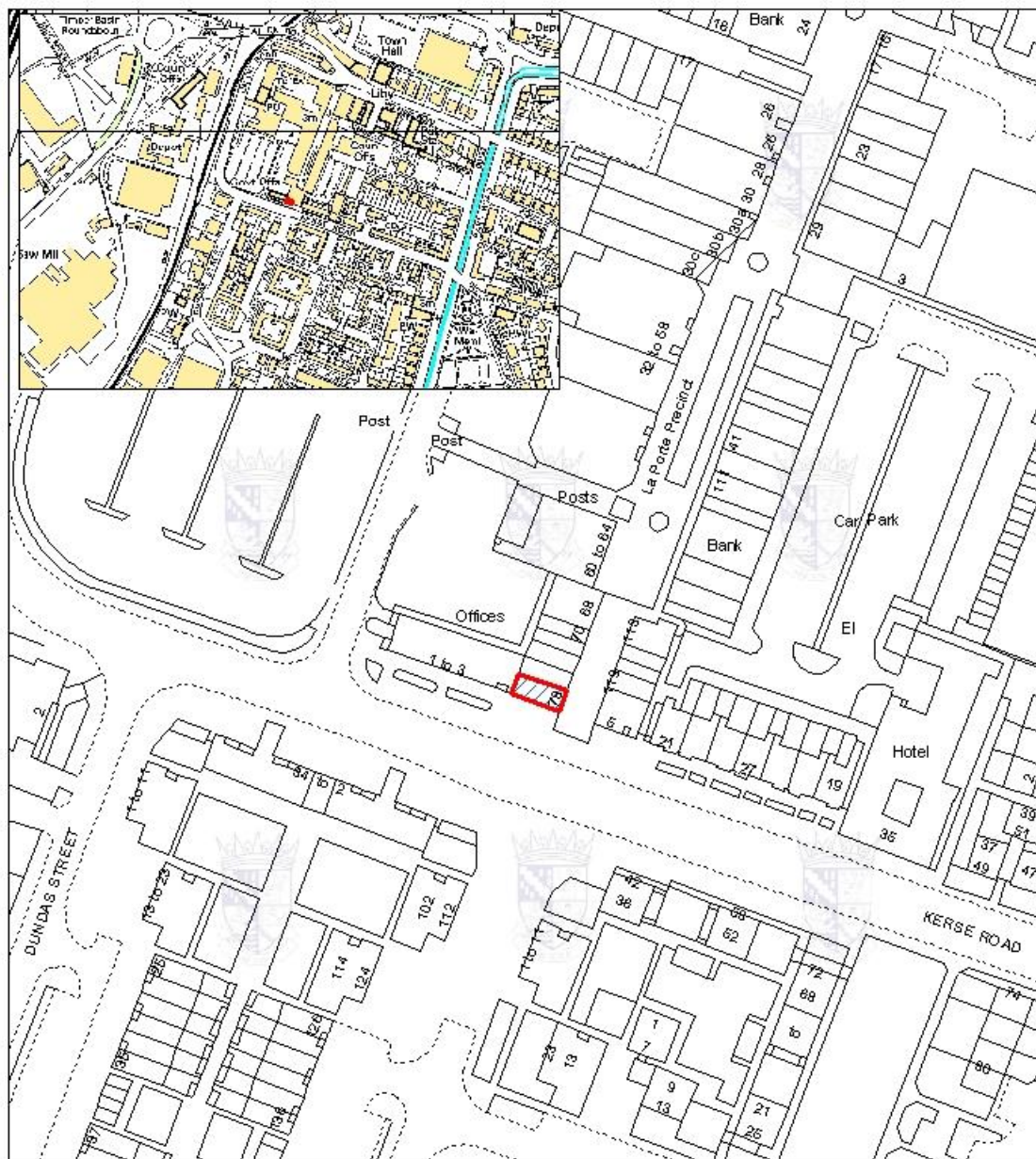
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson (Planning Officer).

Planning Committee

Planning Application Location Plan

P/10/0498/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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