

Perth and Kinross Council
Development Control Committee – 22 May 2013
Report of Handling by Development Quality Manager

Part change of use from offices (class 4) to educational support centre (class 10) (in retrospect) at Blackfriars Development Centre, North Port, Perth, PH1 5LU

Ref. No: 13/00525/FLL
Ward No: 12 – Perth City Centre

Summary

This report recommends approval of the application for the part change of use from offices (class 4) to educational support centre (class 10) (in retrospect as the development is considered to comply with the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 Full planning consent is sought for the part change of use from offices (class 4) to educational support centre (class 10) (in retrospect) at Blackfriars Development Centre, North Port, Perth. The building is located within the town centre and is currently used for training, meetings and staff development associated with the Council.
- 2 The change of use applies to the part of the ground floor to the rear of the building. The use is for alternative education provision of children aged between 12 and 16 who cannot maintain full-time mainstream education. The primary functions are communication skills support, life-skills and support with Maths, English and Art. The maximum number of pupils using the facility is 20-25 and between 5-7 per day, five days a week.
- 3 The application is in retrospect as the change of use took place in October 2011, the application is to formalise arrangements until July 2013 when the renovation works to their permanent base will be completed.
- 4 Vehicular access and parking exists for the building, but the age group using the building would be dropped off or travel by public transport for which the building is ideally located

NATIONAL POLICY AND GUIDANCE

Scottish Planning Policy 2010 (SPP)

- 5 This SPP is a statement of Scottish Government policy on land use planning and contains:
 - the Scottish Government's view of the purpose of planning,

- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application are:-

- Paragraphs 52 – 65: Town Centres and Retailing

DEVELOPMENT PLAN

- 6 The Development Plan for the area consists of the Approved Tayplan Strategic Development Plan and the Adopted Perth Area Local Plan 1995. The Council's Proposed Local Development Plan 2012 is a relevant material consideration.

Tayplan: Strategic Development Plan 2012-2032

- 7 The principal relevant policy is in summary:

Policy 2: Shaping Better Quality Places

- 8 Seeking to shape better quality places through requiring new development to be fit for place, supporting more sustainable ways of life for people and businesses.

Perth Central Area Local Plan 1997

- 9 The application site is located within an area designated for secondary business and commercial uses.

- 10 The principal relevant policy is in summary:

Policy 41 – Secondary Business and Commercial Uses

- 11 The policy supports development providing that residential amenity is not adversely affected.

PERTH AND KINROSS PROPOSED LOCAL DEVELOPMENT PLAN 2012

- 12 On 30 January 2012 the Proposed Plan was published. The adopted Local Plan will eventually be replaced by the Proposed Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading up to adoption. It has recently undergone a period of representation; the Proposed Local Development Plan may be modified and will be subject to examination prior to adoption. This means that it is not expected that the Council will be in a position to adopt the Local Development Plan before

December 2014. It is therefore a material consideration in the determination of this application, reflecting a more up to date view of the Council.

- 13 The principal relevant policies are in summary:

Policy RC2 – Perth City Centre Secondary Uses Area

- 14 This policy supports mixed uses and these uses must not adversely affect the amenity of existing surrounding property.

Policy CF3 – Community Facilities

- 15 This policy supports proposals where the provision of facilities will provide community benefit.

OTHER POLICIES

- 16 No other policies.

SITE HISTORY

- 17 No site history.

CONSULTATIONS

Scottish Water

- 18 No objection.

REPRESENTATIONS

- 19 No letters of representation have been received.

ADDITIONAL STATEMENTS

20	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	None submitted
	Report on Impact or Potential Impact	None submitted

APPRAISAL

Policy

- 21 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by Planning Etc (Scotland) Act 2006 require that planning decisions be made in accordance with the development plan unless material

considerations indicate otherwise. The determining issues in this case are whether: - the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy. The most relevant policies of the Perth Central Area Local Plan 1997 and Tayplan 2012 are outlined above. The Council's Proposed Local Development Plan 2012 is a relevant material consideration in this instance.

- 22 The application site is located within an area identified for secondary business and commercial uses. The Educational Support Centre is an acceptable use which complies with the zoning and related policy and does not conflict with the current uses within the building. The proposal therefore does not raise any policy issues.

Use

- 23 The change of use relates to a number of rooms towards the rear of the ground floor of the building, no alterations have been carried out to the existing room arrangement.
- 24 The use is acceptable and complements the existing facilities provided at Blackfriars Development Centre.
- 25 The application is in retrospect as the change of use took place in October 2011, the application is to formalise arrangements until July 2013 when the renovation works to their permanent base will be completed.

Access/Parking

- 26 There is no parking allocated to this use within the car park but the building is located within the town centre and is centrally located for access by public transport. In addition, the change of use is not considered to generate significant additional levels of traffic.

Listed Building and Conservation Area

- 27 Blackfriars Development Centre (formerly Blackfriars House) is a category B listed building located in the Perth Central Conservation Area. This application is for change of use only and no alterations to this part of the building have been carried out therefore there will be no impact on either the Listed Building or Conservation Area.

PLANNING AUTHORITY WITH AN INTEREST IN THE LAND

- 28 The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 advises on the procedure for notification of planning applications to the Scottish Ministers for developments in which planning authorities have an interest in. The Direction states that notification to the Ministers is only required where the proposal involves a significant departure from the authority's own Development Plan. As the recommendation of approval is not a significant

departure from the Development Plan, a notification to the Ministers is not required.

LEGAL AGREEMENTS

29 None required.

DIRECTION BY SCOTTISH MINISTERS

30 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

31 In conclusion, the application must be determined in accordance with the adopted Development Plans unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the adopted Perth Central Area Local Plan and Tayplan 2012. I have taken account of material considerations, including the Proposed Local Development Plan 2012 and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

RECOMMENDATION

A Approve the application subject to the following condition:-

1 Consent is hereby granted for a temporary period until 31st July 2014.

Reason

1 To enable the area to revert to its former use.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

C PROCEDURAL NOTES

None.

D INFORMATIVES

None.

Background Papers: None

Contact Officer: Joanne Ferguson

Date: 30 April 2013

Nick Brian
Development Quality Manager

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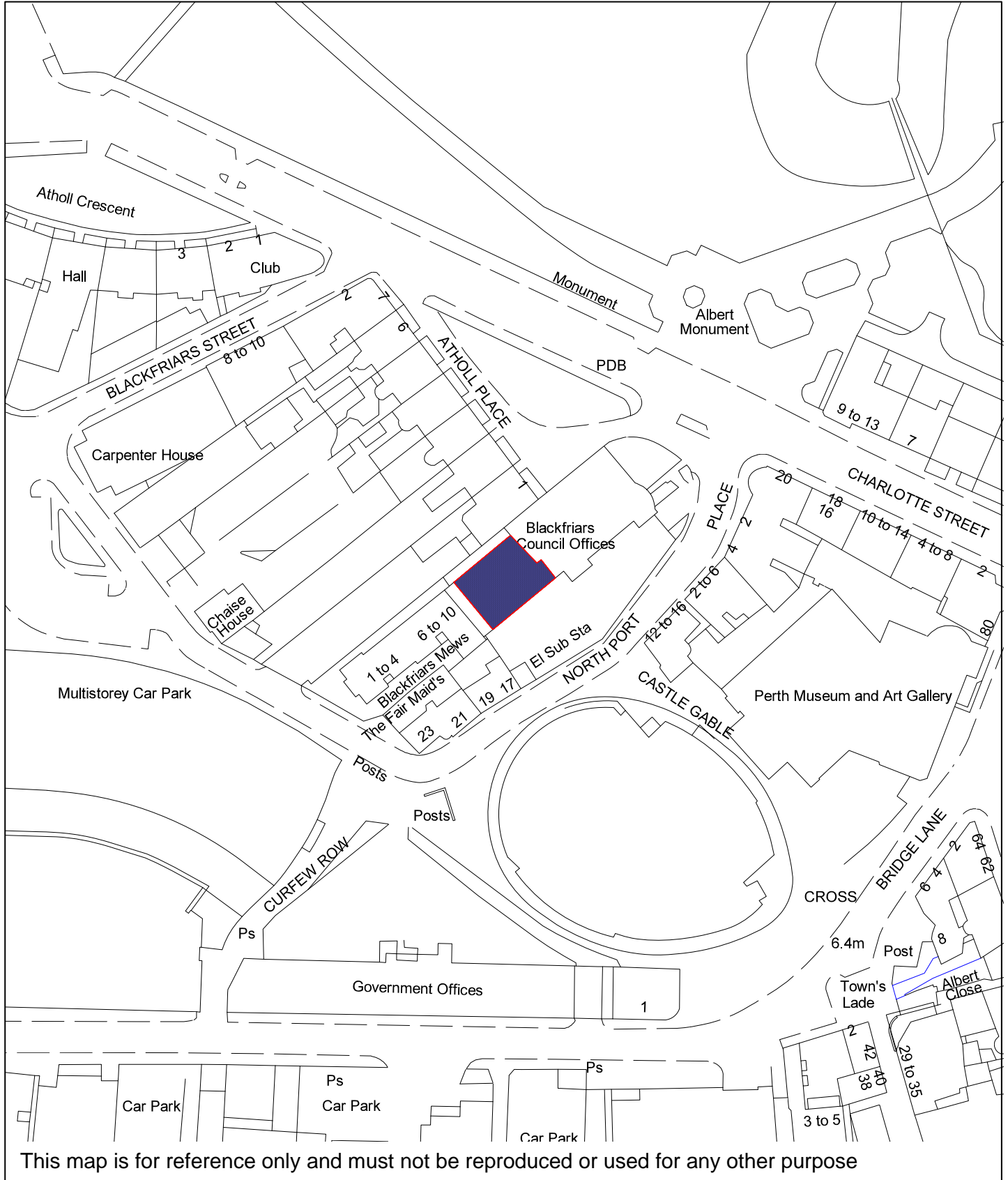
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Perth & Kinross Council

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Blackfriars Development Centre, North Port, Perth

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↑ Scale
1:1250

