

# Development Management Sub Committee

Wednesday 17 March 2021

**Application for Planning Permission 20/03981/FUL  
at 1 West Clifton Road, Newbridge.  
Change of Use from Class 6 to Sui Generis Industrial (indoor  
waste recycling centre).**

**Item number**

**Report number**

**Wards**

B02 - Pentland Hills

## Summary

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Notwithstanding the breaches of policies of Env 10 and RS 3, the proposal brings a viable reuse to a currently vacant property without any undue impact on either the Countryside or upon residential amenity. The site would provide recycling facilities which in turn addresses wider Council objectives, and is considered a suitable site for this type of facility. No other material planning considerations outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LEN10, LRS03,

# Report

## **Application for Planning Permission 20/03981/FUL at 1 West Clifton Road, Newbridge. Change of Use from Class 6 to Sui Generis Industrial (indoor waste recycling centre).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site extends to 1.37 hectares and contains a modern (1985) portal frame industrial building of 3900 square metres. It has an existing weighbridge and a small office building. It currently has a car park capable of holding six cars plus a service yard for larger vehicles turning. It lies on the B7030 in a remote rural area south of the M8/M9 interchange., around 700 metres west of Ratho village at the junction of Clifton Road and Cliftonhall Road just west of Ratho Quarry. It was last used for storage and distribution purposes (class 5).

The closest residential settlement is the small hamlet of Bonnington, around half a kilometre to the south.

Two farm steadings, Bonnington Mains and Clifton Mains lie around 250 metres distant.

The site lies within a Countryside policy area.

#### **2.2 Site History**

1 June 2009 - planning permission refused for change of use to sport/leisure purposes (planning reference:09/00731/FUL)

10 February 2010 - appeal dismissed for change of use to sport/leisure purposes (planning ref:09/00731/FUL)

## **Main report**

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### **3.1 Description of the Proposal**

The application proposes change of use of an existing industrial shed (class 5) to use as an indoor waste recycling centre (sui generis). The proposal relates to the importation of waste materials to the site, the processing/recycling of these materials within the existing warehouse and the despatch of recycled materials.

At this stage it is not known the exact nature of the recycling proposed.

An area of additional car-parking for staff (20 spaces) is created to the north-east corner of the site. A cycle store is shown adjacent.

The scheme was amended to add electric charging points within the car park and solar panels were also added to the roof.

#### Supporting Information

A Noise Impact Assessment and Supporting Statement were submitted with the application.

These are available to view on the Planning and Building Online Services.

### **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 proposal impacts on the Green Belt and Countryside designation;
- b) the proposed use is acceptable;
- c) impact on the environment is acceptable;
- d) impact on residential amenity is acceptable;
- e) parking and access are considered and
- f) comments are addressed.

a) Green Belt

The site is designated as being within the Countryside in the adopted Edinburgh Local Development Plan (LDP). Policy Env 10 of the LDP states that within the green belt and countryside shown on the proposals map, development will only be permitted where it is for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use; and the proposal would not detract from the landscape quality or rural character of the area.

No new structures are included within the proposal, and the application seeks to reuse the existing structure (addition of solar panels would be permitted development if considered independently).

Although the wording of policy Env 10 states that a building must be of architectural merit and of domestic scale in order to merit support as a change of use, as no physical redevelopment is proposed, the proposal has a neutral impact upon the landscape quality and rural character of the Countryside and no harm arises. The change of use is acceptable for this reason subject to other policy requirements being met.

Moreover, the existing building may continue in use as class 5 without a need for planning permission. Permitted Development Rights would also allow change of use to a range of other uses but these do not include waste management which is specifically "sui generis" within the Act, and therefore require permission. However, regardless of the internal use, the impact on the Countryside is both neutral and acceptable and an exception to policy Env 10 is therefore justified.

In terms of the new car park, this could be an intrusive feature. However, provided landscaping is of high quality, the impact will be acceptable. This is the subject of a condition.

b) Proposed Waste Management Use

LDP policy RS 3 considers Provision of New Waste Management Facilities.

This policy has four criteria under which such facilities may be provided. In relation to these four requirements: the site is not a safeguarded site; it is not designated for Business and Industry; the site is not within the Urban Area; and the site is not in a quarry. The site does not meet the requirements of the policy as it meets none of these four criteria.

However, waste recycling as a function is not well-suited to the urban area and given that the use would be contained within an existing building, the change of use would not undermine the principles of the policy. In addition, there are no nearby residential properties that would be impacted by the proposal.

On balance, although policy RS 3 is not met, the site is considered suitable for the proposed recycling use and an exception to policy is justified.

Whilst external waste management sites have a propensity to attract birds, which could impact on bird strike risk, as an internal facility BAA has no objection to the proposal as it cannot impact upon bird strike.

#### c) Environmental Impact

LDP policy Env 22 considers Pollution and Air, Water and Soil Quality.

The operations will take place within an enclosed building and are not expected to impact on the surrounding environment. However, a condition has been added to get further details of this and any necessary measures to ensure mitigation in terms of the impacts of any extracts produced.

#### d) Impact on Residential Amenity

The site is physically remote from residential properties. The submitted Noise Impact Assessment (NIA) demonstrates that as an internal facility it will have no significant impact on any housing.

Additional traffic noise will not be significantly different from that which would arise from other authorised uses.

#### e) Parking and Access

Access arrangements are unaltered.

Whilst the use relies upon the movement of large vehicles to and from the site, such movement is not substantially different from what might be generated under the pre-existing use class. As such a Transport Statement is not considered necessary.

The site lies close to the main Newbridge interchange where the M8 and M9 meet the A9. The adjacent road system is suitable for HGV use.

The site is remote from public transport routes and an additional car park is required to meet the needs of staff. This is considered acceptable in these circumstances. The applicant has agreed to install electric charge points. Secure cycle storage will also be provided. However, in order to ensure the new car park complies with parking standards, a condition has been added for further details.

#### f) Public Comments

##### **Material Comments - Objections:**

- traffic generation/road safety - assessed in section 3.3d)
- too close to housing - assessed in section 3.3b)
- noise and odours - assessed in section 3.3c)

##### **Material Comments - Support:**

The two support letters praised job opportunities, local investment and the sustainable nature of the proposal.

## **Non-Material Comments**

the existing speed limit is ignored - this is unconnected to the proposal and outwith the applicant's control

use is not sustainable - recycling is by nature sustainable

use attracts vermin - the use is indoors but the control of vermin is not a planning matter

rubbish blowing off site - the use is indoors and will be controlled under environmental legislation.

## Conclusion

Notwithstanding the breaches of policies of Env 10 and RS 3, the proposal brings a viable reuse to a currently vacant property without any undue impact on either the Countryside or upon residential amenity. The site would provide recycling facilities which in turn addresses wider Council objectives, and is considered a suitable site for this type of facility. No other considerations outweigh this conclusion.

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

## **3.4 Conditions/reasons/informatives**

### **Conditions :-**

1. A surface water management plan shall be submitted for the further approval of the planning authority prior to the commencement of development.
2. A landscaping plan for the new car park shall be submitted for the further approval of the planning authority prior to the commencement of development. This should be a biodiversity led landscaping plan with the addition of hedges and trees being a priority.
3. Further details of the new car park shall be submitted for the further approval of the planning authority. This should be designed to show compliance with the Council's car parking and cycle parking standards as set out in the Edinburgh Design Guidance. Thereafter, it shall be implemented prior to the first use of the development hereby approved.
4. Further details of the proposed recycling operation shall be submitted for the further approval of the planning authority prior to the commencement of development. This should include details of any ventilation requirements and any mitigation measures to ensure there is no adverse impact on local air quality. Thereafter, these measures shall be implemented prior to the first use of the development hereby approved.

## **Reasons:-**

1. In order to address sustainable urban drainage issues.
2. To ensure the landscape character of the green belt is maintained.
3. To ensure the development meets parking standards.
4. To ensure there is no adverse impact on local air quality

## **Informatives**

It should be noted that:

1. The development 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**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 16 October 2020. 31 representations were received: 29 in objection, two in support. These are assessed in section 3e) of the Assessment.

## **Background reading/external references**

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- 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 property is an existing building within the designated Green Belt.

### **Date registered**

18 September 2020

### **Drawing numbers/Scheme**

1-3,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy RS 3 (Provision of New Waste Management Facilities) sets out the circumstances new waste management facilities will be permitted.

# Appendix 1

## **Application for Planning Permission 20/03981/FUL At 1 West Clifton Road, Newbridge, Change of Use from Class 6 to Sui Generis Industrial (indoor waste recycling centre).**

### **Consultations**

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#### **Roads Authority**

*The application should be continued. Reasons:*

- 1. The applicant will be required to submit transport statement detailing traffic impacts of the proposed change of use and mitigation measures;*
- 2. The applicant should demonstrate by means of design how the proposal complies with the Council's parking standards (both cycle and car parking spaces).*

#### **British Aviation Authority (Edinburgh Airport)**

*The proposed development has been fully examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.*

#### **Environmental Assessment**

*The applicant should be encouraged to install electric charging points within the staff car park.*

## Location Plan

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