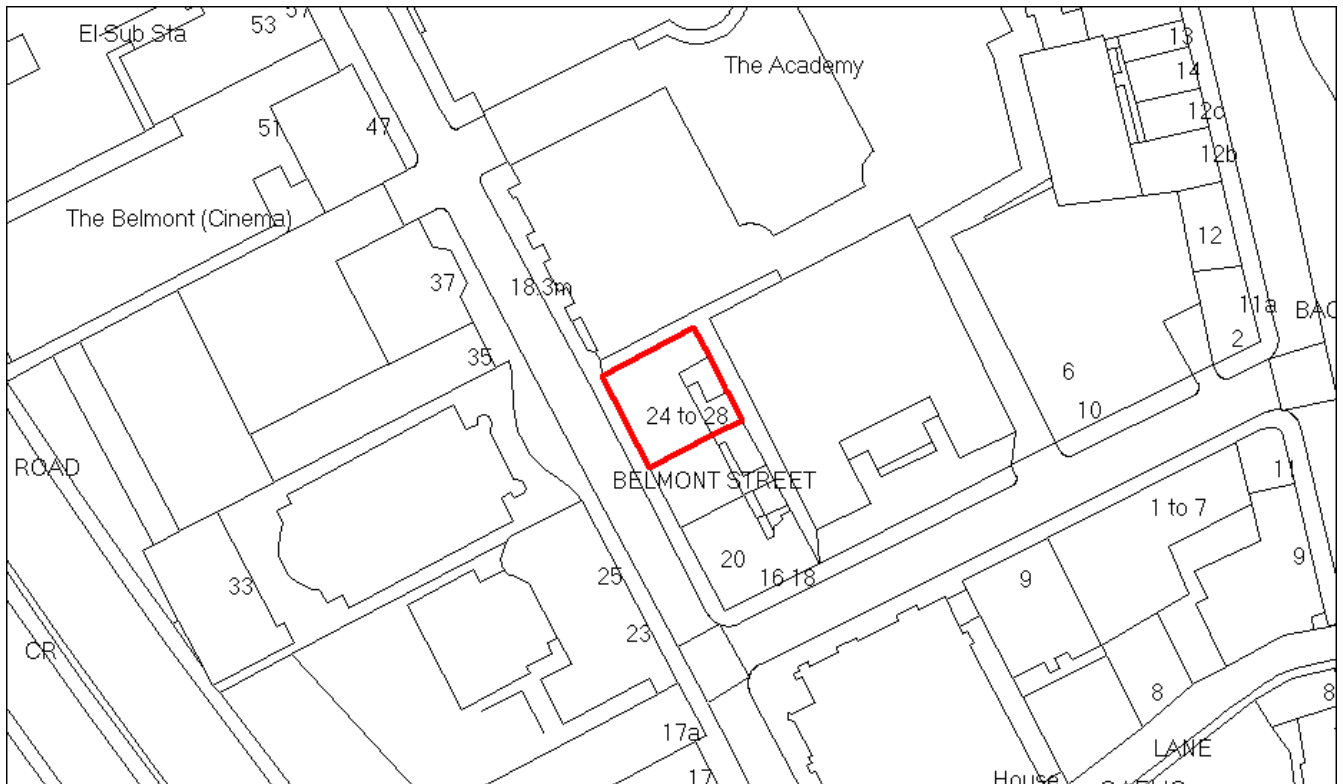


24-28 BELMONT STREET, ABERDEEN

CHANGE OF USE FROM CLASS 2 TO CLASS 1
AND CLASS 3 (CAFE/SNACK
BAR/CHOCOLATE WORKSHOP)

For: Cocoa Ooze

Application Type : Detailed Planning Permission	Advert :
Application Ref. : P130377	Advertised on:
Application Date: 20/03/2013	Committee Date: 13 June 2013
Officer: Jane Forbes	Community Council : No response
Ward : George Street/Harbour (A Morrison/N Morrison)	received



RECOMMENDATION: **Approve Unconditionally**

DESCRIPTION

The application site lies on the eastern side of Belmont Street, midway between its junction with Union Street to the south and Schoolhill to the north. The site, which is currently unoccupied, comprises a 2 storey traditional granite building and incorporates an existing shopfront at ground floor level, with five original window openings fitted with traditional sash and case timber windows above. The site is located within Conservation Area 2 (Union Street), with the

surrounding area characterised by a mix of uses including shops, but predominately bars, restaurants and takeaways. The Academy Shopping Centre lies immediately to the north of the site, with an independent book shop and café to the south, whilst to the rear (east) is The Old Schoolhouse, with its main access off Little Belmont Street.

RELEVANT HISTORY

In July 1993 the Planning Committee granted permission (93/0415) for a change of use from Class 1 (shop premises) to Class 2 (carers resource centre).

PROPOSAL

Detailed planning permission is sought for a change of use from Class 2 (Financial, Professional & Other Services) to a mix of Class 1 (Retail) and Class 3 (Café/Snack Bar/Chocolate Workshop). The premises would serve for the production and distribution of chocolates, as well as a venue for holding chocolate events/workshops and as a sit in café offering snacks and drinks.

Whilst an application for advert consent seeking replacement of the existing fascia sign has been submitted (Ref 13/0439), no further external alterations are proposed for the building.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130377>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the Council has an interest in the application as owner of the property at 24-28 Belmont Street. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – Response received – no observations.

Environmental Health – Response received – no observations.

Enterprise, Planning & Infrastructure (Flooding) – Response received - no observations

Community Council – No response received.

REPRESENTATIONS

No letters of representation have been received.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) – This states that a proposed development that would have a neutral effect on the character or appearance of a conservation area (ie does no harm) should be treated as one which preserves the character or appearance. SPP also encourages enhancement of the vitality and viability of existing retail centres.

Scottish Historic Environment Policy (SHEP) July 2009 - Conservation areas are defined as areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

Aberdeen Local Development Plan

Policy D5 (Built Heritage)

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy (SPP).

Policy C1 (City Centre Development – Regional Centre)

This policy states that ‘Development within the City Centre must contribute towards the delivery of the vision for the City Centre as a major regional centre as expressed in the City Centre Development Framework. As such, the City Centre is the preferred location for retail, commercial and leisure development serving a city-wide or regional market’.

Policy C2 (City Centre Business Zone and Union Street)

This policy seeks to encourage retail uses within the City Centre Business Zone, and states that other uses may be considered acceptable if it can be demonstrated that such use would satisfy a range of criteria, including enhancing or maintaining daytime vitality, providing an active street frontage, and avoiding conflict with the amenity of the neighbouring area.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

The proposed change of use needs to be assessed against Policy C1 (City Centre Development – Regional Centre) and C2 (City Centre Business Zone and Union Street) in the Aberdeen Local Development, as detailed above. It is considered that the proposed use, which would include the sale of chocolates, in addition to the establishment of a venue for chocolate workshops and a sit in café, would not only bring back into use a vacant property, previously occupied by VSA as a Carers Centre under Class 2 Use (Financial, Commercial & Other Services), but would also make a positive contribution to the vitality and viability of Belmont Street. The premises has a large glazed frontage which in its previous use was largely screened, thus presenting a blank frontage to the street, however, the proposal would allow for pedestrians to see into the premises as well as customers seeing out, thus creating a live and attractive street frontage. The proposed use would fit well with that of existing properties within the surrounding area, where a variety of uses including shops, bars, restaurants and takeaways is evident. The introduction of a mixed use to include retail within this city centre location is therefore considered to be compliant with both Policy C1 and Policy C2.

Scottish Historic Environment Policy (SHEP) indicates that conservation areas are defined as areas of special architectural or historic interest or appearance which it is desirable to preserve or enhance. Whilst a separate application has been submitted for replacement signage, this specific proposal relates to a change of use, with no resulting external alteration to the building. Given that the proposal would not affect the appearance of the building, it is considered to have a neutral effect on the character and appearance of the surrounding conservation area within which the building is located, and would therefore be in accordance with Scottish Historic Environment Policy. In addition to this, with the proposed change of use introducing a more active shop frontage, the proposal would likely improve the vitality of the area and thus have a positive impact on the character of the area. On this basis the proposal is considered to comply with Scottish Planning Policy (SPP), and as a direct result would also be compliant with Policy D5 (Built Heritage).

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The proposed change of use from Class 2 (Financial, Professional & Other Services) to a Mixed Use of Class 1 (Retail) and Class 3 (Cafe/Snack Bar/Chocolate Workshop) would not be in conflict with the aims of Policy C1 (City Centre Development: Regional Centre) or Policy C2 (City Centre Business Zone and Union Street) of the Aberdeen Local Development Plan, which seek to ensure that the City Centre remains the preferred location for retail, commercial and leisure development serving a city-wide or regional market, and encourage development which serves to enhance or maintain daytime vitality, provides an active street frontage, and avoids conflict with the amenity of the neighbouring area.

The proposal would have no adverse effect on the character and appearance of the surrounding conservation area and as such would comply with the Scottish Historic Environment Policy (SHEP) and would also be in accordance with the provisions of Scottish Planning Policy (SPP) and Policy D5 (Built Heritage) of the Aberdeen Local Development Plan.

Dr Margaret Bochel

Head of Planning and Sustainable Development