

**Advert Application 07/03776/ADV
at
2 - 3 Rutland Street
Edinburgh
EH1 2AN**

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

1 Purpose of report

To consider application 07/03776/ADV, submitted by Forrest Media Ltd.. The application is for: **Mesh banner incorporating 1-1 Image of building, attached to scaffolding works**

It is recommended that **REFUSED AND ENFORCED**

2 The Site and the Proposal

Site description

The site is on the corner of Rutland Square and Rutland Place at the west end of Princes Street.

The building is category A listed, circa 1835, with later alterations. It was listed on 14 December 1970 Ref:29685.

This property is located within the New Town Conservation Area.

Site History

March 2002 - Planning permission and listed building consent granted for alterations to existing pub frontage to include new windows, replacing lighting + signage and new exterior colour (01/4684/FUL+LBC).

March 2002 - Listed building consent granted for alterations to existing interior layout of public house to include new staircase and bar servery (02/322/LBC)

June 2006 - Advertisement consent granted for a mesh (advert) banner for one year (06/1577/ADV). Consent now lapsed.

September 2007 - applications for planning and listed building consent submitted for modifications/refurbishment to all existing established areas in order to create improved quality facilities - currently pending consideration (07/3923/FUL+LBC).

October 2007 - Further advertisement application for larger area advert on mesh cover - currently pending consideration (07/4378/ADV).

Description of the Proposal

The application is for the installation of a mesh attached to the existing scaffolding which incorporates an advertisement panel and a 1:1 image of the building. This will be illuminated with white static spotlights.

The previous consent allowed an advert which was 26% of the mesh covered area of the building. Whilst this consent has lapsed, the mesh remains in place. In addition, the amount of mesh covering the building with the 1:1 image has subsequently been changed. The mesh covered area of the building has been increased to cover the whole of the Rutland Place frontage. As a consequence, the advert proposed in this application constitutes 13% of the Rutland Place elevation.

However, the applicant has installed a larger advert which is subject of a further advertisement application.

The applicant is seeking consent for 6 months, whilst renovations to the building continue.

3 Officer's Assessment and Recommendations

Determining Issues

- Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.
- 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 these determining issues, the Committee needs to consider whether:

- a) the site is in a suitable location for an advertisement of this nature.
- b) the size of the advertisement complies with guidelines.
- c) retention of the advertisement will preserve or enhances the character and appearance of the conservation area and Edinburgh World Heritage Site.
- d) an exception to the guidelines is justified in this case.

a) The revised Advertisement and Sponsorship Guidelines dated May 2006 indicate that within the World Heritage Site, the allowable advertisement area should be 15% of the elevation rather than 30% elsewhere. However, the guidelines do state that advertisements will not be accepted on Princes Street/Waverley Valley or the elevations overlooking these from the Old Town/New Town. Therefore under the revised guidelines an advertisement in this location is not permissible as it 'overlooks' Princes Street. The site is therefore not suitable for further retention of an advertisement of this nature.

b) The scaffolding covers the entire elevation of the Rutland Place frontage. The proposed advertisement would constitute 13% or less of the Rutland Place elevation. The advertisement is acceptable within the percentage guidelines.

c) The revised guidelines preclude adverts overlooking Princes Street. The reason is to protect the visual qualities of the Princes Street area – the major thoroughfare in the city. The advertisement currently erected can be viewed down the length of Princes Street and dominates the vista along it to the detriment of the New Town Conservation Area and the Edinburgh World Heritage Site. The retention of an advertisement in this location will have an adverse impact on the character and appearance of the conservation area and the Edinburgh World Heritage Site.

d) The new owner of the building took over in March 2006 and commissioned more extensive works than previously intended. The applicant has submitted a revised works schedule in order to justify the need to retain the mesh covering and therefore the advertisement. The more extensive construction works proposed will last until the end of June 2008. This means that the building will continue to be scaffolded and likely to be wrapped in some form of mesh until this time due to Building Standards requirements. Consideration

may therefore be given to allowing an advertisement with the associated 1:1 image in order to improve visual amenity of the area. However, the advertisement is visually dominant and it is considered that plain mesh in this location would be preferable to an advertisement. The guidelines encourage 1:1 images on scaffolded buildings and refusal of this application would not preclude the whole building having a 1:1 image if the developer wishes but there is no mechanism to achieve this.

Given that the location is visually very dominant and the developer has had the benefit of an advert, latterly oversized, for over a year, an exception to the guidelines to provide an advertisement to cover the works schedule well in to the middle of 2008 is not justified in this case and the advertisement should be removed forthwith.

There are no other material considerations which outweigh this decision.

The proposals are not acceptable, do not merit an exception to the Council's guidelines on Advertisements and Sponsorship, and adversely impact on the character and appearance of the New Town Conservation Area and the Edinburgh World Heritage Site.

It is recommended that the Committee refuses this application for the reasons stated and resolves to take enforcement action for the removal of the current advertisement panel on the Rutland Place frontage.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Duncan Robertson on 0131 529 3560
Ward affected	A11 - City Centre (NEW)
Local Plan	Central Edinburgh Local Plan Edinburgh City Local Plan
Statutory Development Plan Provision	Mixed Activities Zone Conservation Area
Date registered	30 August 2007
Drawing numbers/ Scheme	01; 02A; 03 Scheme 2

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, Anna Grant on 529 3521. Email: anna.grant@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 gavin.king@edinburgh.gov.uk or carol.richardson@edinburgh.gov.uk

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Consultations, Representations and Planning Policy

Consultations

Historic Scotland

Historic Scotland has no comments to offer.

Representations

The application was not advertised and no representations have been 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

Allocated as part of a Mixed Activities Zone in the Central Edinburgh Local Plan and as Central Area in the Finalised Edinburgh City Local Plan.

Relevant Policies:

Relevant policies of the Central Edinburgh Local Plan.

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD25 (ADVERTISING) imposes restrictions on advertising on commercial buildings other than shopfronts and states that high level advertising will not be permitted.

Non-statutory guidelines 'ADVERTISEMENTS AND SPONSORSHIP' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

Relevant policies of the Edinburgh City Local Plan.

Policy Env 2 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

Policy Env 5 (Conservation Areas – Development) sets out criteria for assessing development in conservation areas.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **REFUSED AND ENFORCED**

Reasons

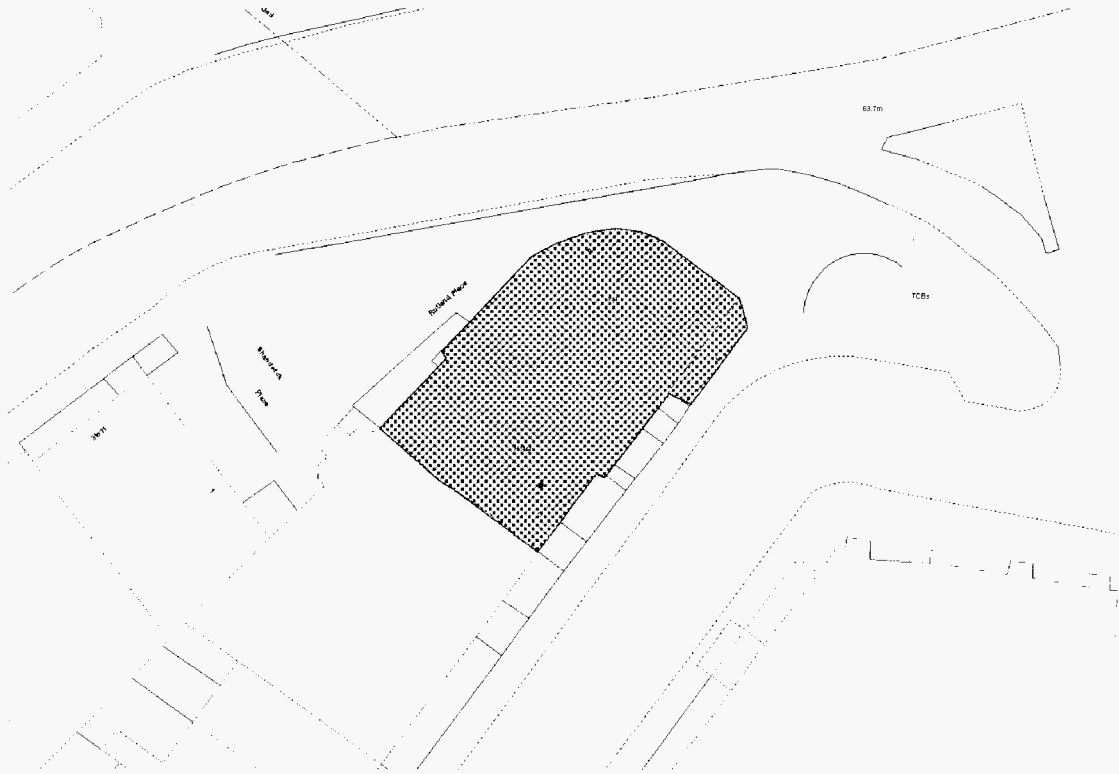
1. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the advertisement neither preserves nor enhances the character and appearance of the conservation area, or the integrity of the Edinburgh World Heritage Site.
2. The proposal is contrary to Edinburgh City Local Plan Policy Env 5 in respect of Conservation Areas - Development, as the proposals will neither preserve nor enhance the special character and appearance of the conservation area
3. The proposals are contrary to the non-statutory guidelines on Adverts and Sponsorship as - the advert overlooks Princes Street and has an adverse impact on its character and appearance
4. The proposed advertisement is contrary to the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) Part 11 Section 4(2) (a) in respect of amenity as the proposed sign adversely impacts on the domestic character of the listed building, and the character and appearance of the New Town Conservation Area and the Edinburgh World Heritage Site.

End

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Location Plan

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