

Full Planning Application
at
43-45 Lothian Road
Edinburgh
EH1 2DJ

Development Quality Sub-Committee
of the Planning Committee

Proposal: Installation of new shop frontage (in retrospect)
Applicant: Caffe Nero
Reference No: 04/01422/FUL

1 Purpose of report

To recommend that the application be **REFUSED AND ENFORCED**

Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD4, in respect of Conservation Areas, as the tiled stallriser and steps are not a traditional finish and detract from the appearance of the building.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the tiled stallriser and steps fail to preserve the character and appearance of the conservation area.
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD23, in respect of Shopfront Design, as the tiles that have been fitted to the stone stallriser and steps are unsympathetic to the style of the building.

2 Main report

Site description

This application relates to a ground floor shopfront of a three storey and attic terraced building. The building is category C (S) listed building and lies within the West End Conservation Area and World Heritage Site.

Site history

02/09/02 - consent granted to change use to Class 2

24/03/03 - consent granted for new shopfront and signage

Concurrent planning application to change the use of unit from shop to cafe (approved 16/04/04)

Development

This is a retrospective application to install a new timber framed frontage.

Consultations

No consultations undertaken.

Representations

No representations have been received.

Policy

The site is within the Mixed Activities Zone of the Central Edinburgh Local Plan

Relevant Policies:

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 CD23 (SHOPFRONT DESIGN) promotes high standard shopfront design and sets out criteria for assessing shopfront proposals.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a 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 the determining issues, the Committee needs to consider:

- a) whether the proposals have an adverse impact on the building or its setting;
- b) whether the proposals have an adverse impact on the character or appearance of the conservation area;

a) Although the previous frontage was of reasonable quality, it was not original and its replacement with a good quality timber framed frontage is considered acceptable. However, although the drawings do not indicate any alteration to the stall riser or steps, it is noted that tiles have been applied to these areas and this detracts significantly from the appearance of the building.

b) The character of the West End Conservation Area is described in the Central Edinburgh Local Plan as follows:

"Georgian and Victorian tenements characterise the eastern side of the conservation area while to the west and south are the domestic Georgian buildings of Grove Street and Gardner's Crescent, the mid 19th Century artisan housing of Rosebank Cottages and the brick built quadrangle of Rosemount Buildings. Further west more Victorian and Georgian tenements lead to Haymarket, defining an inner city urban scale. The area contains much of the city centre's new commercial development including the completed Saltire Court and site of the Conference Centre."

The tiles that have been applied to the stallriser and steps are not a traditional finish and their unsympathetic appearance fails to preserve the character or appearance of the conservation area.

The proposals fail to comply with the development plan and non-statutory policies and would have an adverse effect on the character and appearance of the conservation area.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application for the reasons stated. It is further recommended that enforcement action is taken to ensure the removal of the tiles from the stallriser and steps.



Alan Henderson
Head of Planning and Strategy

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Ward affected 32 -Tollcross

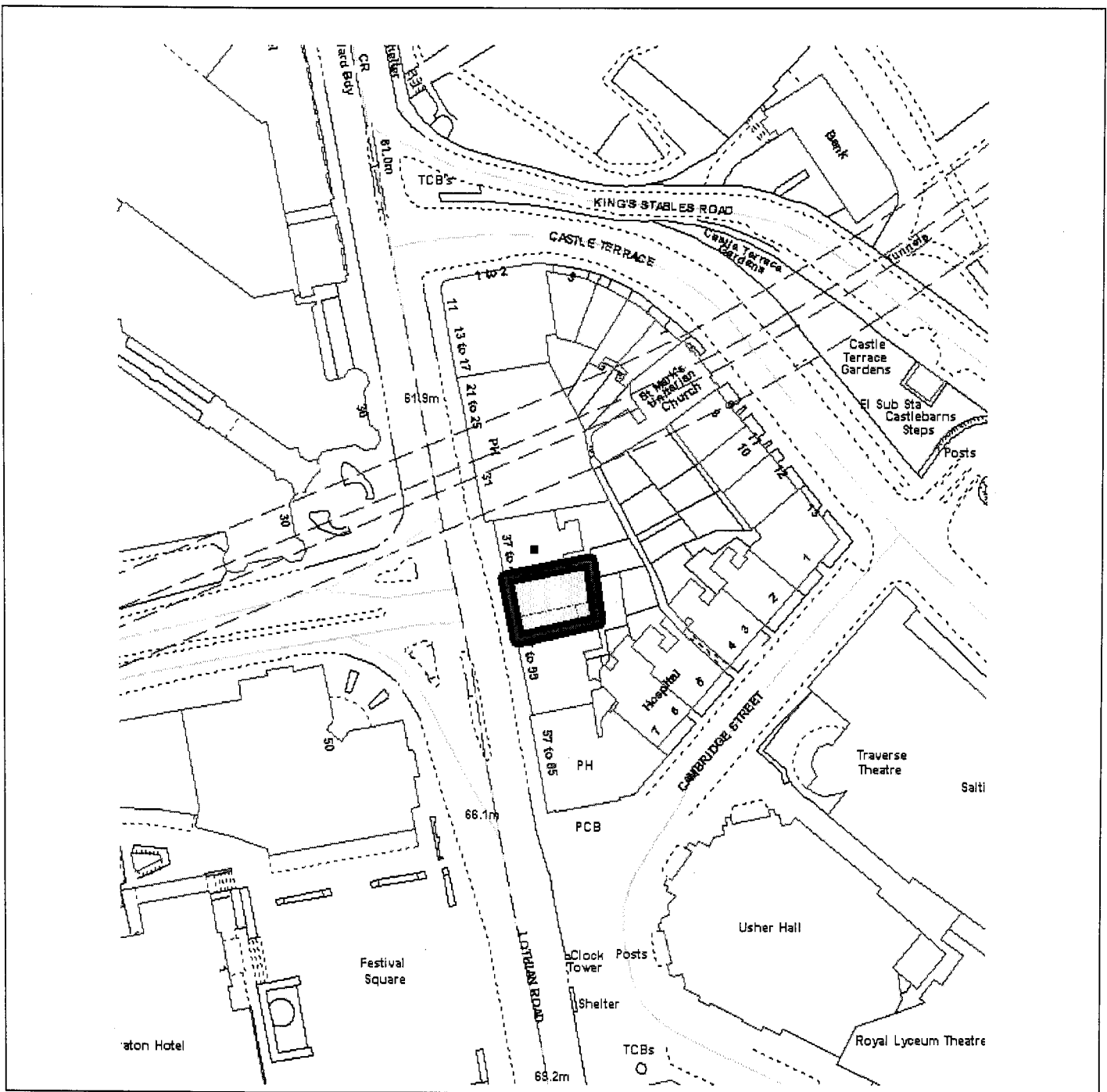
Local Plan CELP

**Statutory Development
Plan Provision** Mixed Activities Zone

File

Date registered 6 May 2004

**Drawing numbers/
Scheme** 01-02
Scheme 1



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PLANNING APPLICATION

Address	43-45 Lothian Road, Edinburgh, EH1 2DJ		
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Application number:	04/01422/FUL	WARD	32- Tollcross
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			