

**Enforcement Report into Breach of Control
at
61 Comiston Road
Edinburgh
EH10 6AG**

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

Owner/s

Occupier

Reference No: 07/00470/EOPDEV

1. Purpose of Report

Breach of Control:

Re-painting the stone frontage of the premises a brilliant white colour.

Recommendation:

That enforcement action is taken to ensure that the stone frontage is re-painted in a colour to tone with the adjoining stonework.

The Site

Site Description

The property is a main door flat, within a four storey tenement building, forming part of a terrace on the east side of Comiston Road.

The property is within the Morningside Conservation Area.

Site History

In March 2004, an enquiry concerning painting the frontage of the main door flat was received from a neighbouring resident. Following investigation by enforcement staff it was established that the frontage had been painted for at least 15 years. In these circumstances, the property owner was not required to remove the paint from the stone. As the frontage had recently been re-painted an acceptable cream colour, no further action was taken.

In July 2007, Morningside Community Council contacted the Council to advise that the exterior stone of the main door flat was being painted a brilliant white colour.

Following investigation enforcement staff wrote to the property owner advising him that a breach of planning control had occurred. In reply to this, and following further correspondence, the property owner agreed to re-paint the frontage in a colour to match the adjoining stonework. However, the property owner has failed to comply and, to date, the remedial painting remains outstanding.

Representations

One enquiry received from the Morningside Community Council.

Description of Development

Painting the exterior stonework of the front elevation of the premises a brilliant white colour.

3. Assessment

The determining issues are whether the development is acceptable with regard to the provisions of the development plan, so far as they are material and whether it is expedient to initiate enforcement action.

For this purpose, the Committee needs to consider whether the development has an adverse impact on the character or appearance of the Morningside Conservation Area.

The front elevation of the property was previously painted a cream colour which was more visually subdued and allowed the frontage of the property to blend with the adjoining stonework.

The present brilliant white colour contrasts to an unacceptable degree with the natural, weathered sandstone of the adjoining buildings, and visually detracts from the ordered composition of which the subjects are part. Accordingly it causes harm to the character and appearance of the Morningside Conservation Area, contrary to policy guidance.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Callum Aitchison on 0131 529 3946
Ward affected	Ward A10 - Meadows/Morningside (NEW)
Local Plan	Central Edinburgh Local Plan/Edinburgh City Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses/Urban Area
File	
Date Complaint Received	6 July 2007

Planning Policy

The following policies and guidelines are relevant:

Central Edinburgh Local Plan

Policy CD4 (Conservation Areas) requires development in a conservation area to 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 CD19 (Building Alterations) sets out requirements for the design, form, materials and positioning of alterations and extensions.

Edinburgh City Local Plan

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

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Non-Statutory Guidelines

Development Management Guidelines on 'Colour of Buildings' provides guidance on this matter, in support of local plan conservation and design policies.

