

**Full Planning Application
at
20A Bath Street
Edinburgh
EH15 1HD**

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

Proposal: Replacement windows and awning
Applicant: Portobello Spiritualist Church.
Reference No: 04/00309/FUL

1 Purpose of report

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

Reasons

1. The proposal is contrary to North East Edinburgh Local Plan Policy E18, in respect of Listed Buildings, as the proposals will have a detrimental effect on the character of the listed building.
2. The proposal is contrary to North East Edinburgh Local Plan Policy E21, in respect of Conservation Areas, as the windows and awning do not respect the character or appearance of the conservation area.
3. The proposal is contrary to North East Edinburgh Local Plan Policy E22, in respect of Redevelopment in Conservation Areas, as the inferior quality of the windows and the awning will not preserve the character and appearance of the conservation.
4. The proposal is contrary to Non Statutory Guidelines in respect of Blinds and Canopies, as the awnings are on a domestic fronted building and do not fold back into internal box housing.

2 Main report

Site description

The application property is a two-storey building to the rear of 20 Bath Street being used as a church. It is listed with 20 Bath Street and is therefore category B listed and in the Portobello Conservation Area. Although the building is being used as a church, it is of a domestic character.

Site history

24.06.98 - consent granted for the extension of the church with disabled toilets and alterations to the existing building.

Development

This retrospective application is for the replacement of the previous non-original timber single glazed pivot windows with uPVC double glazed windows. The new windows are tilt and turn at the first floor level and at ground floor the lower pane is fixed and the upper pane is an outward opening hopper. A sign above the entrance has been replaced with a canvas awning, which displays the name of the church.

The Committee should note that the works do not require listed building consent as the church has ecclesiastical exemption.

Consultations

No consultations undertaken.

Representations

No representations have been received.

Policy

North East Edinburgh Local Plan, Area of Housing and Compatible Uses.

Relevant Policies:

Policy E18 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting a listed building and its setting, including alterations, extensions and changes of use.

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E22 (CONSERVATION AREAS - REDEVELOPMENT): sets out criteria against which new development in conservation areas will be assessed.

Policy E28 (WINDOW ALTERATIONS): sets out criteria for assessing window alteration and replacement proposals to listed and non-listed buildings in defined areas (with examples).

Non-statutory guidelines 'ALTERATIONS TO LISTED BUILDINGS' provide general guidance for assessing proposals for both internal and external alterations.

Non-statutory guidelines 'BLINDS AND CANOPIES' supplement local plan conservation and design policies by providing guidance on the fitting of blinds and canopies.

Non-statutory guidelines on 'WINDOW ALTERATIONS' supplement local plan conservation and design policies, providing additional guidance on window alterations.

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 character or appearance of the conservation area;

- b) whether the proposals adversely affect the listed building or its setting;
- c) whether the proposals are detrimental to residential amenity.

a) The character of the Portobello Conservation Area is described in the North East Edinburgh Local Plan as follows:

"Portobello Conservation Area includes several distinct character zones. The High Street provides a focus for the Conservation Area, retaining many original two storey Regency buildings as well as a number of significant public buildings. The seaside character of the Promenade is still evident despite the loss of the pier and the construction of several modern buildings of poor quality. The remainder of the area includes an abundance of fine Georgian (and later) villas as well as a stock of Victorian tenements, public buildings and churches".

Although this is not a prominent building, being set back from the street and behind number 20 Bath Street, it is still an integral part of the conservation area and the impact on the conservation area should be assessed.

The previous set of windows were non-original, but they were constructed of timber. The new uPVC windows are of an inferior quality material and of a design that does not respect the traditional pattern in the conservation area. They have an adverse impact on the character and appearance of the conservation area.

The awning replaces a nameplate that was above the entrance door. It is contrary to the Non-Statutory Guidelines on Blinds and Canopies which states that external blinds will not be acceptable on domestic fronted buildings and that any external traditional blinds should fold back into an internal box housing. The awning is intrusive and not in character with the residential quality of this part of the conservation area.

b) The proposals adversely affect the listed building because of the use of inferior quality materials for the windows and because the awning does not respect the domestic quality of the building and its setting.

c) There are no issues of residential amenity.

The proposals do not comply with the development plan and non-statutory policies, have an adverse effect on the character and appearance of the conservation area and the building and its setting but have no detrimental impact on residential amenity.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application for the reasons stated and agrees to initiate enforcement action to secure the removal of the unauthorised works.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/Tel Barbara Stuart on 0131 529 3927 (FAX 529 3717)

Ward affected 39 -Portobello

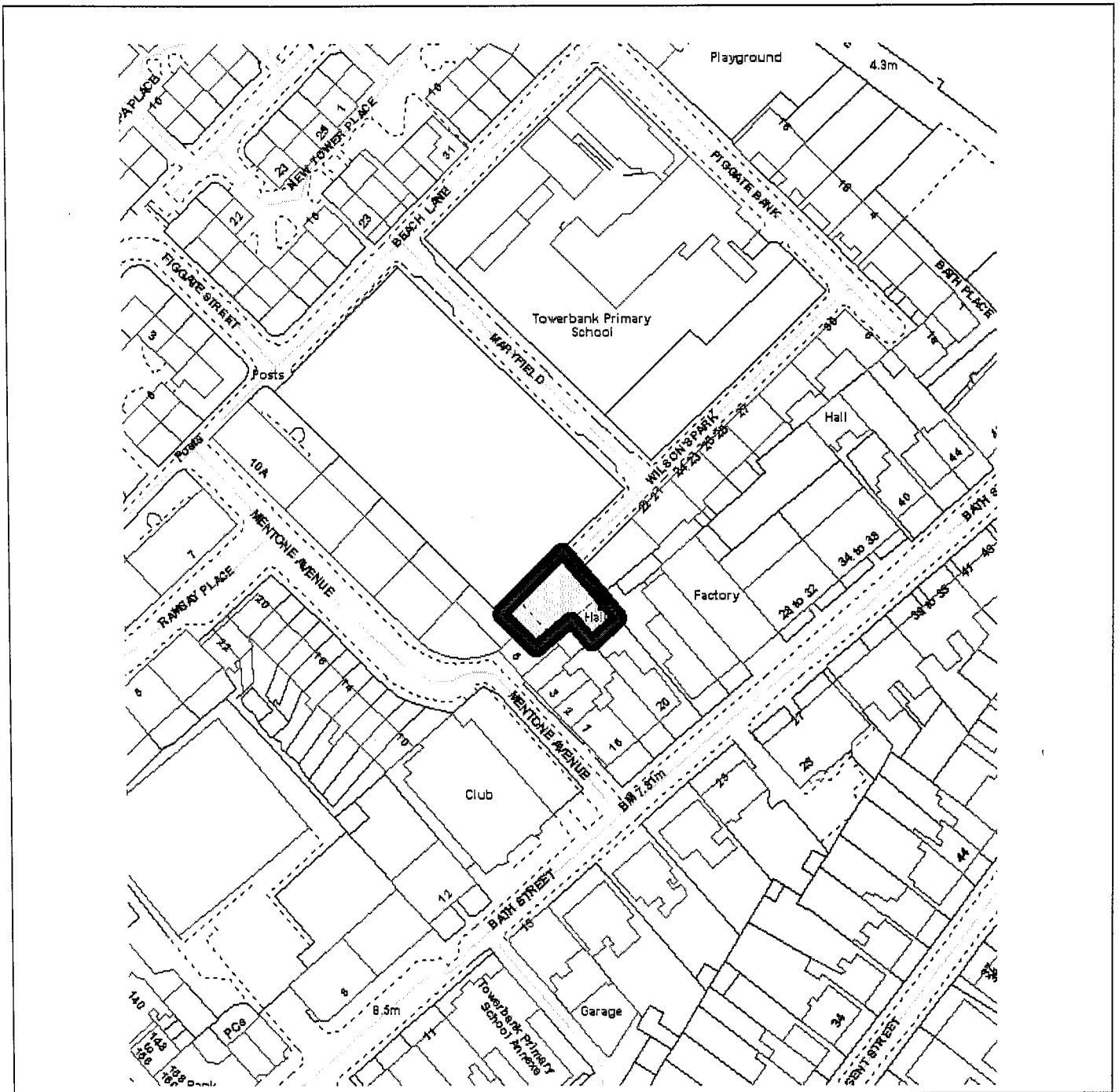
Local Plan NEELP

**Statutory Development
Plan Provision** Housing and Compatible Uses

File

Date registered 23 February 2004

**Drawing numbers/
Scheme** 1-4
Scheme 1



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PLANNING APPLICATION

Address	20A Bath Street, Edinburgh, EH15 1HD		
Proposal	Folding canvas awning and white lettering on valance		
Application number:	04/00309/ADV	WARD	39- Portobello
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			