

**Advert Application
at
20A Bath Street
Edinburgh
EH15 1HD**

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

Proposal: Folding canvas awning and white lettering on valance
Applicant: Portobello Spiritualist Church.
Reference No: 04/00309/ADV

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 have a detrimental effect on the character of the listed building.
2. The proposal is contrary to North East Edinburgh Local Plan Policy E31, in respect of Advertising, as the advertising on the awning does not discreetly identify the occupier of the building.
3. The proposal is contrary to the Non-Statutory Guidelines in respect of Advertisements and Signs, as the advertising on the awning does not discreetly identify the occupier of the building.
4. The proposal is contrary to North East Edinburgh Local Plan Policy E22, in respect of Redevelopment in Conservation Areas, as the advertising on the awning does not preserve or enhance the character or appearance of the area.

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, category B 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 advertising on a canvas awning which displays the name of the church and replaces a sign which was above the entrance.

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 E31 (ADVERTISING): requires advertising on commercial buildings to be located discreetly and presumes against high level advertising.

Non-statutory guidelines 'ADVERTISEMENTS AND SIGNS' set criteria for assessing such 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 character or appearance of the conservation area, or the setting of the listed building;
- b) whether the proposals are detrimental to public safety.

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 conservation area and the impact on the conservation area should be assessed.

The awning replaces a nameplate that was above the entrance door. This is contrary to the North East Edinburgh Local Plan's policy E31 on advertising which states that "advertising on other than commercial buildings will generally be restricted to that necessary to identify discreetly the business or company occupier". The device for advertising i.e. the blind is dealt with under the planning permission.

b) There are no issues of public safety.

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

There are no other material planning considerations which outweigh this conclusion.

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

Alan Henderson

Alan Henderson
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Ward affected 39 -Portobello

Local Plan NEELP

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

File

Date registered 23 February 2004

**Drawing numbers/
Scheme** 1-3
Scheme 1