

**Listed Building Consent Application 05/01841/LBC
at
74-78 Grassmarket
Edinburgh
EH1 2JR**

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

1 Purpose of report

To consider application 05/01841/LBC, submitted by Mitchells + Butlers Plc. The application is for: **Proposed external retractable canopy above shopfront (in retrospect).**

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

2 The Site and the Proposal

Site description

The application property is a double frontage, ground floor, public house unit located within a four storey and attic, 17th century tenement on the north side of the Grassmarket.

The building is statutorily listed, category B, and is located within the Old Town Conservation Area and Edinburgh World Heritage Site.

Site history

April 2005 - Enforcement complaint received in respect of the canopies.

Description of the Proposal

The proposal, which is retrospective, is to erect two, external retractable canopies above the double frontage public house. The canopies are made of cloth and accommodated within a white metal external housing fixed to the stonework between ground and first floor level.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- 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 consent;
- 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 whether the proposals have an adverse impact on the character of the listed building.

The canopies have been installed above the string course of the double frontage public house, just below the first floor windows of the flat above. They are constructed in cloth fabric and are accommodated within external housings which are fixed to the stonework of the building.

The housings form an incongruous addition to the building, which is a simple and unassuming random rubble fronted tenement. The method of attachment to the building is particularly clumsy and unsympathetic, being fixed to stonework which is visually linked to the residential unit above, rather than the timber public house frontage at ground floor level.

The use of external housings is contrary to the Commercial Frontages guidelines. They have an adverse affect on the listed building by introducing a dominant visual focal point to the detriment of its overall character. They conceal the stringcourse of the public house, whether the canopies are retracted or not, and fail to relate to the architectural composition of the unit.

The proposals do not comply with the development plan and non-statutory policies and have an adverse impact on the character of the listed building.

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

It is recommended that the Committee refuses this application on the grounds that the erection of the canopy housings adversely impact on the character and integrity of the listed building. It is further recommended that enforcement action be taken to remove the unauthorised works.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Alan Moonie on 0131 529 3909
Ward affected	32 - Tollcross
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Mixed Activities Zone
Date registered	1 June 2005
Drawing numbers/ Scheme	01 Scheme 1

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, Martin Easson on 0131 529 3989. Email: martin.easson@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 blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type

Application Address:

Proposal:

Reference No: 05/01841/LBC

Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

No representations have been received.

Planning Policy

The site is identified in the Central Edinburgh Local Plan as a mixed activities zone, with an emphasis on promoting an appropriate mix of activities which contribute to local character and vitality.

Relevant Policies:

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

Policy CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

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

Non statutory Guidelines on Commercial Frontages supplement Local Plan Policies by providing guidance on shop frontages, shop front security, adverts and signs and blinds and canopies.

Application Type

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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 CD2, in respect of Listed Buildings, as the alterations diminish the architectural integrity of the building.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD19, in respect of Building Alterations, as the alterations, by way of the positioning of the housings adversely affect the character of the building.
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD23, in respect of Shopfront Design, as the canopy housings adversely affect the historical integrity of the listed building.
4. The proposal is contrary to the Non-Statutory Guidelines in respect of Commercial Frontages, as the canopy housings have an adverse affect on the character of the listed building.

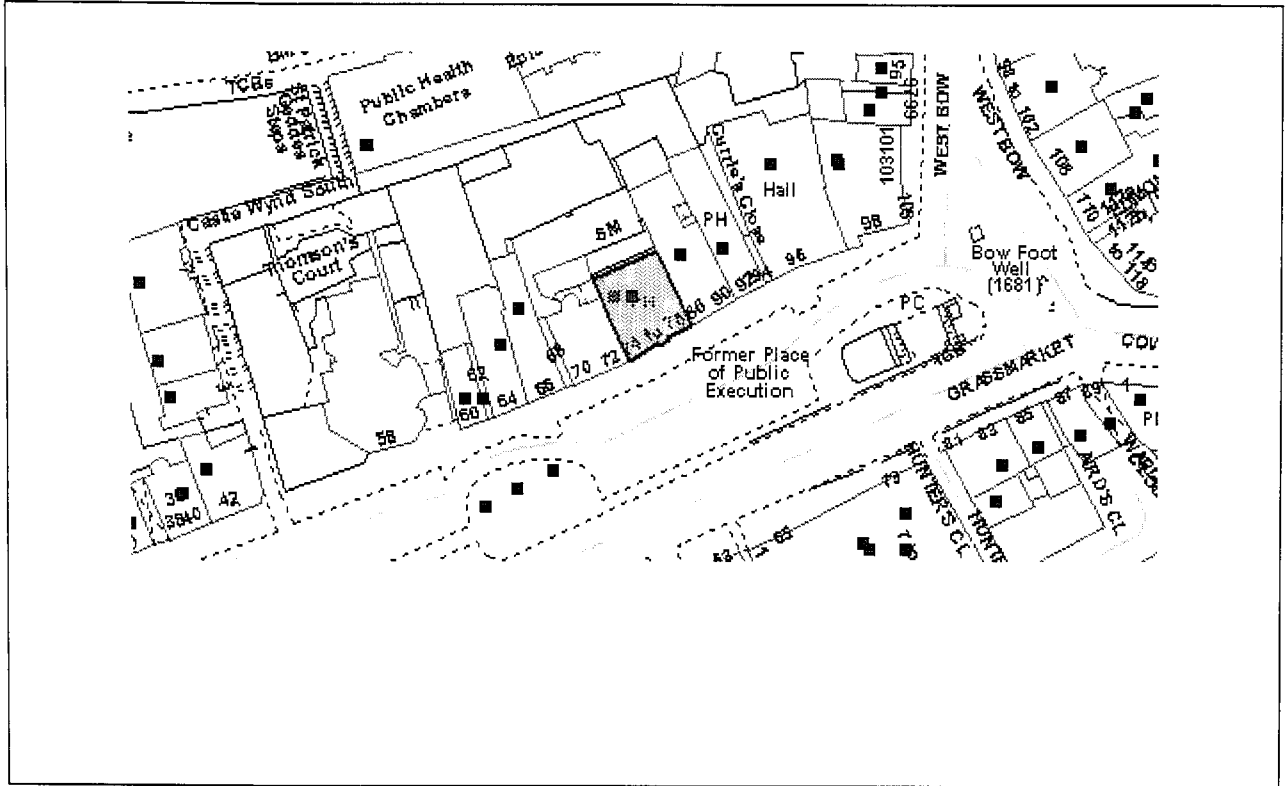
End

Application Type

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Location Plan



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