

**Advert Application 06/03115/ADV
at
17-19 Forrest Road
Edinburgh
EH1 2QH**

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

1 Purpose of report

To consider application 06/03115/ADV, submitted by Mr Miah. The application is for: **Illuminated sign above front entrance**

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons below.

2 The Site and the Proposal

Site description

The site is an existing restaurant within the shopping parade along the west side of the street.

The building is category, C(S) listed, designed by R Thornton Shiells, 1872. It was listed on 29 March 2001 Ref: 47863.

This property is located within the Old Town Conservation Area.

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Site History

July 1979 - Alteration to shopfront, lavatories and diners bar approved (1044/79).

April 1982 - Extend kitchen extract flue refused (2424/81).

September 2002 - Listed building consent application submitted for partially retrospective, proposed public house/offices with reference to 06/2538/LBC Details abandoned. (06/3657/LBC).

June 2006 - Enforcement enquiry opened (06/366/A01).

Description of the Proposal

Application is retrospective for white uPVC coated deep fascia with cool blue neon lettering and projecting box sign. Ancillary chrome non-illuminated lettering is set along the bottom of the fascia.

3 Officer's Assessment and Recommendations

Determining Issues

- Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against 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 not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to the 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, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether:

- a) The proposals have an adverse impact on the character or appearance of the conservation area, or the setting of the listed building;
- b) The proposals are detrimental to public safety.

a) The previous restaurant on this site, 'Maharajas', had the same depth of fascia but this was not plastic coated. The neon lettering and projecting sign are new. The site is in an area where there is a variety of depths of fascia and signage illumination. The main lettering does not exceed 2/3 of the fascia height but blue illumination is not acceptable in this area and adversely affects the setting of the listed building and impacts adversely on the appearance of the locality.

The retrospective signage is not acceptable given its application to a listed building and its impact on the streetscene.

- b) The proposals are not detrimental to public or highway safety.

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

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

It is recommended that the Committee refuses this application for the reasons stated and is minded to take enforcement action to secure the removal of the blue neon signage and the plastic coating of the fascia.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Duncan Robertson on 0131 529 3560
Ward affected	32 - Tollcross
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Local Shopping Centre/Mixed Activities Zone
Date registered	4 September 2006
Drawing numbers/ Scheme	01 - 03 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, Nancy Jamieson on 0131 529 3916. Email: nancy.jamieson@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 gavin.king@edinburgh.gov.uk or carol.richardson@edinburgh.gov.uk

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Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

Not advertised. Only one original complaint letter specifying light pollution as reason.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

Allocated as Local Shopping Centre within a Mixed Activities Zone in the Central Edinburgh Local Plan.

Relevant Policies:

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

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.

Non-statutory guidelines 'ADVERTISEMENTS AND SPONSORSHIP' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

Policy CD24 (SHOP SIGNS) sets out criteria for assessing proposals involving shop signs and shopfront advertising, including illuminated signs.

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.

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Conditions/Reasons associated with the Recommendation

Recommendation

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

Reasons

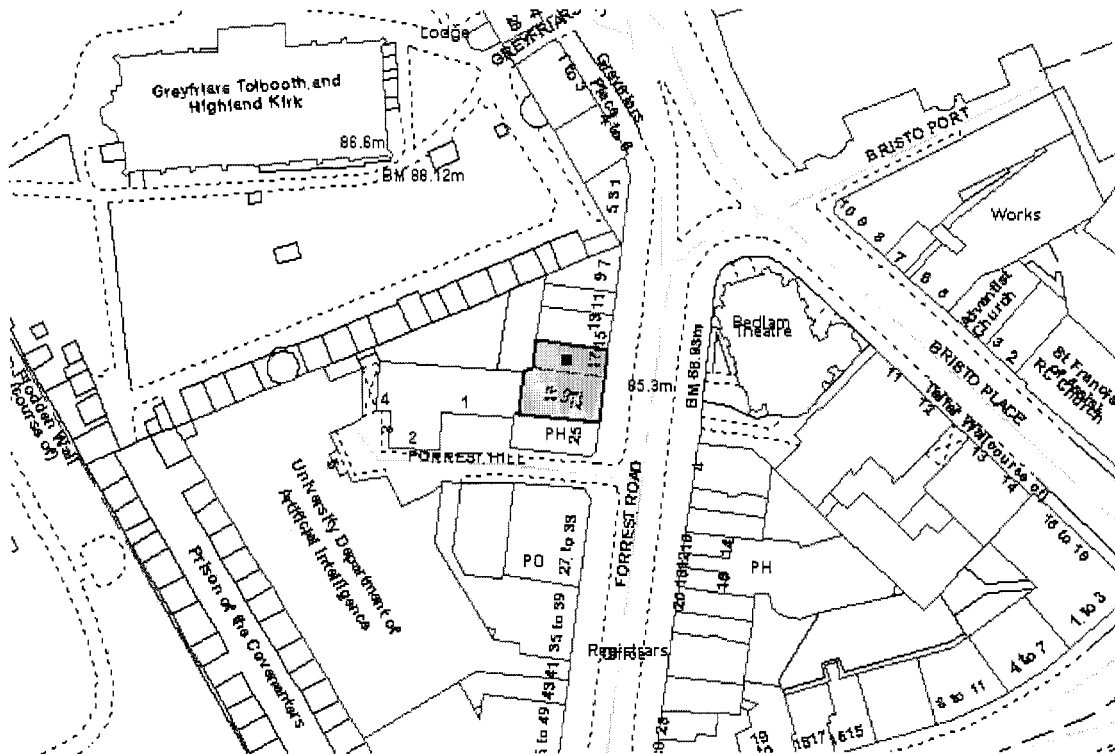
1. The proposal is contrary to Central Edinburgh Local Plan Policy CD2, in respect of Listed Buildings, as the size and illumination in blue neon of the main lettering adversely impacts on setting and character.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD24, in respect of shop signs, as the design, scale, positioning, materials and illumination do not relate well to the shopfront or historic character.
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the plastic fascia and neon lettering do not preserve or enhance the character and appearance of the conservation area.
4. The proposal is contrary to the Non-Statutory Guidelines in respect of Commercial Frontages, as shiny white synthetic plastic fascias are not acceptable on a listed building as these are not of traditional appearance.
5. The proposal is contrary to the Non-Statutory Guidelines in respect of Commercial Frontages, as the blue neon tubing and illumination is visually obtrusive within the Old Town Conservation Area.
6. The proposals are contrary to the non-statutory guidelines on Adverts and Sponsorship as - the main lettering is not discreet and is in excess of what is required to discreetly identify the premises.

End

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Location Plan

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