

Full Planning Application 05/02307/FUL
at
51 High Street
Edinburgh
EH1 1SR

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/02307/FUL, submitted by Cockburn Conservation Trust. The application is for: **Change of use to office (from retail)**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The property is a Category A listed building situated on the North side of the High Street adjacent to Trunk's Close. Surrounding uses are predominantly retail based with residential tenements on the upper floors. The site is of particular historic importance in the Old Town and is situated next to John Knox's house. The site is within the Old Town conservation area and the World Heritage Site.

Site history

There is no relevant planning history for this site.

Description of the Proposal

The proposal is for the change of use from retail to office. There are no proposed alterations to the building associated with this application.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals preserve or enhance the character and appearance of the conservation area? There being a strong presumption against the granting of planning permission of this is not the case;
- Do the proposals preserve the building or its setting or any features of special architectural or historic interest? 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 preserve the listed building or its setting or any features of special or historic interest? There being a strong presumption against granting permission if they do not;
- Do the proposals comply with the development plan?
- If the proposals do not 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

In order to address the determining issues the committee needs to take into account whether:

- a) The proposed change of use will have a detrimental effect on the vitality of a speciality shopping street;
- b) The proposal preserves any features of special architectural or historic interest of the category A listed building,
- c) The proposal will preserve or enhance the character and appearance of the conservation area and

d) The proposal will have any affect upon neighbour and residential amenity.

a) Policy S8 in the Central Edinburgh Local Plan states that in speciality shopping streets change of use proposals change of use proposals which would result in the loss of a shop unit will not be allowed if likely to undermine or to be to the detriment of their special shopping character'. Although the loss of a retail unit could be seen as detrimental to the vitality of the speciality shopping street the situation of the shop front is partially obscured by projecting steps leading into Moubray House and the protruding bulk of John Knox's house meaning that the site is not regarded as having a prominent shopfront.

Non Statutory guidance on speciality frontages states that 'In a speciality shopping frontage no more than 40% of the total number of units within the street for non-shopping uses will be allowed'. At present 31% of properties on ground or basement level on the speciality frontage are in non-retail retail use. The proposed change of use would result in 33% of the shopping frontage being in non retail use and the proposal would therefore be acceptable. The proposal will also not result in the consecutive location of more than three shop units in non-retail use.

The principle of the change of use is acceptable.

b) The proposal is for a change of use with no internal or external alterations to the building taking place therefore there would be no adverse effects on the category A listed building. Historic Scotland has raised no objection.

c) As the proposal includes no alterations to the existing building there will not be a detrimental effect on the visual appearance of the conservation area. Although the street is characterised by retail use and much of Edinburgh's tourism is centred in the area, the shop front is partially obscured by the projection of some steps and John Knox's house on either side. This means that the loss of this particular retail unit would have no significant impact on the character of the conservation area. The office use would be compatible with the character of this area which is a speciality retail frontage.

d) Environmental and consumer services have raised no objections subject to conditions which cover issues of noise attenuation. There will be no detrimental impact on neighbouring residential amenity.

In conclusion the proposed change of use complies with policy in respect of speciality shopping streets and will not have any detrimental effects on the category A listed building, the character and appearance of the conservation area, or residential amenity.

It is recommended that the committee approves this application subject to conditions which cover the issues of noise attenuation and the protection of the fabric of a listed building.


PP **Alan Henderson**
Head of Planning and Strategy

Contact/tel	David Jeffery on 0131 529 3464
Ward affected	34 - Holyrood
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Mixed Activities
Date registered	5 July 2005
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, Ian Dryden on 0131 529 3464. Email: ian.dryden@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 Full Planning Application

Application Address: 51 High Street
Edinburgh
EH1 1SR

Proposal: Change of use to office (from retail)

Reference No: 05/02307/FUL

Consultations, Representations and Planning Policy

Consultations

Consultations were sent to Historic Scotland, Archaeology and Environmental Health. Environmental Health have no objections to the proposals subject to conditions relating to noise attenuation. Historic Scotland and Archaeology have no objections to the proposal providing there are no alterations to the original property.

Representations

The application was advertised on the 15 July. Four letters of objection have been received raising concerns about the loss of retail use on the street.

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

The site is within a Speciality shopping frontage in the Mixed Activities Zone.

Relevant Policies:

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 CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy S8 (PROTECTION OF SPECIALITY SHOPPING STREETS) sets out criteria for assessing proposals involving the loss of a shop unit within defined speciality shopping streets.

Policy H11 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or to the reasonable prospects of further residential development where this is an objective of the Local Plan.

Non-statutory guidelines 'SPECIALITY SHOPPING STREETS: CENTRAL EDINBURGH LOCAL PLAN POLICY S8: SUPPLEMENTARY PLANNING GUIDANCE' provides specific guidance in respect of such streets.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED**

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
3. The sound insulation properties or sound transmission characteristics of the structures and finishes shall be such that no impact or airborne noise from the normal operations within the application premises is audible in any neighbouring living apartment.
4. All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to ensure that the nature of the use of the premises remains compatible with the character of the surrounding area, and that no activities or processes take place which may be detrimental to its amenities.

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End

Application number: 05/02307/FUL WARD 34-Holyrood

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 Proposal Change of use to office (from retail)

PLANNING APPLICATION

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