

Development Management Sub Committee

Wednesday 28 January 2015

Application for Planning Permission 14/00846/FUL At Telephone Boxes, High Street, Edinburgh Change of use of 2no. phoneboxes to 2no. retail units (as amended)

Item number	4.5
Report number	
Wards	A11 - City Centre

Summary

The proposals comply with the Development Plan and Edinburgh Planning Guidelines. The proposed use would be acceptable in this location and the proposals would have no impact on the character or appearance of the conservation area, the setting of the listed buildings or neighbouring residential amenity.

Links

Policies and guidance for this application	LPC, CITR11, CITE6, NSG, NSBUS, NSLBCA, CRPOLD,
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Report

Application for Planning Permission 14/00846/FUL At Telephone Boxes, High Street, Edinburgh Change of use of 2no. phoneboxes to 2no. retail units (as amended)

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The application properties are 2 K6 red phone boxes. They are located on the north side of the High Street on the section between North Bridge and St Mary's Street/Jeffrey Street.

This application site is located within the Old Town Conservation Area.

2.2 Site History

22 October 2014 - listed building consent granted for removal of existing telephone equipment and phone book holder/shelf (not listed) and replacement with modular retail kiosk on wheels. Replacement of existing single glazing with toughened safety glazing. (application reference number: 14/00994/LBC).

Main report

3.1 Description Of The Proposal

The application proposes the change of use of two telephone boxes to 2 retail units. The modular units would be slotted inside the phoneboxes having removed the existing equipment. The glazing would be replaced with toughened safety glass.

The original proposal specified the types of things that the unit was to be selling and it was felt that some of these would not be a retail use. As such, the applicant agreed to amend the proposals to specify the use as retail with no further information on what would be sold.

3.2 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 consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 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 plan, are there any compelling reasons for approving them?

3.3 Assessment

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

- a) the use is acceptable in this location;
- b) the physical alterations have any effect on the setting of surrounding listed buildings or the character and appearance of the conservation area;
- c) the proposals have an impact on neighbouring residential amenity;
- d) the proposals have any equalities or human rights impacts; and
- e) representations raised have been addressed.

a) Use

The structure lies within an identified Speciality Shopping Street making policy Ret11 applicable. As a fixed structure of limited size the use would meet policy objectives of retaining the special shopping character of the area and preserving a historic structure.

The surrounding area comprises a mix of uses and there is no objection to a further small retail unit. The use helps to maintain the vitality of the street.

b) Conservation Area

The Old Town Conservation Area Character Appraisal states:

"Centred on the Royal Mile, the city's main historic thoroughfare, the Old Town evolved from two separate burghs. Although few medieval buildings remain, the original plot widths and the 'fishbone' street pattern of narrow closes and wynds remain extensively visible, although overlain by major Victorian rebuilding and street improvements. The administrative, ceremonial, legal and religious functions of the modern city remain focused within the Old Town. The key elements of the area's character are therefore its density of building and mixture of uses with high tenements and important historic buildings arranged on a historic street pattern."

Alterations in this instance are minimal and are limited to alteration to the glazing. This change is acceptable as it has a minimal effect on the listed structure and the use fits with the character and appearance of the conservation area as well as contributing to the vitality of the street in line with the aims of the Royal Mile Action Plan.

There would be no impact on the outstanding universal value of the World Heritage Site.

c) Residential Amenity

The proposed use will operate within standard business hours for properties in the city centre. Environmental Services has no objections to the proposals. There would be no adverse impact on neighbouring residential amenity created by the proposals. Litter and waste would be dealt with under environmental legislation.

d) Equalities and Human Rights

There are no issues relating to equalities or human rights.

e) Representations

- Contrary to aims of the Royal Mile Action Plan - this is addressed in section 3.3b).
- Litter and waste - this is addressed in section 3.3c).
- Impact on character of the area and World Heritage Site - this is addressed in section 3.3b).

Conclusion

In conclusion, the proposal complies with the development plan and relevant non-statutory guidelines, is appropriate in its location and preserves the character and appearance of the conservation area. There are no material considerations that outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informativeS

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 21 March 2014. 23 letters of representation were received, all objections. The letters of representation raised the following material issues:

- Proposals not in line with the Royal Mile Action Plan;
- Litter and waste; and
- Impact on the character of the area and World Heritage Site.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

Statutory Development

Plan Provision

The application site is located in the Central Area in the Edinburgh City Local Plan

Date registered

13 March 2014

Drawing numbers/Scheme

1 and 2,

Scheme 1

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Ret 11 (Alternative Use of Shop Units in Other Locations) sets out the factors to be taken into account in assessing the change of use of a shop unit outwith defined centres.

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The Old Town Conservation Area Character Appraisal emphasises the survival of the original medieval street pattern; the wealth of important landmark buildings; the survival of an outstanding collection of archaeological remains, medieval buildings, and 17th-century town houses; the consistent and harmonious height and mass of buildings; the importance of stone as a construction material for both buildings and the public realm; the vitality and variety of different uses; and the continuing presence of a residential community.

Appendix 1

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Consultations

Environmental Services

No objections to the proposals.

