

**Listed Building Consent Application 05/03974/LBC  
at  
GF  
5 York Place  
Edinburgh  
EH1 3EB**

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

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**1 Purpose of report**

To consider application 05/03974/LBC, submitted by Salt 'N' Sauce Promotions Ltd. The application is for: **Painted mural on rear wall of extension to 5 York Place, depicting comic characters and scenes (in retrospect).**

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons in Appendix B.

**2 The Site and the Proposal**

**Site description**

The site is a wall to the rear of the comedy club premises in York Place which was originally an Episcopal chapel. The wall faces onto the new bus station across North Clyde Street Lane.

The building is category 'A' listed, designed by James Adam, and dated 1794. It was listed on 14 September 1966.

The site is in the New Town Conservation Area and the Edinburgh World Heritage Site.

## **Site history**

August 1999 - Planning permission granted for a temporary relaxation of condition (GF0) of consent A01823/97/FUL regarding opening hours (99/1473/FUL).

January 2001 - Listed building consent application withdrawn, for proposed signage to be fixed to the front wall comprising gold lettering with back illumination (00/2942/LBC).

November 2005 - Concurrent advertisement application for mural submitted (05/03974/ADV). This is considered in a separate report.

## **Description of the Proposal**

The application is in retrospect for the painting of a multi-coloured mural over the whole length of the rear wall of the premises, depicting comic characters and the legend "The Stand Comedy Club".

## **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 rear wall of these premises is an integral part of this category 'A' listed building, although on a later flat roofed addition. Whilst the mural in itself is well executed and might be appealing in another context, it is not in this case because this wall was previously rendered with a cream painted finish which

was more visually subdued and allowed the wall to blend with the existing listed building. In contrast the art work is alien to the style and period of this building as a whole.

Its defacement with a mural is detrimental to its character and appearance.

The Architectural Heritage Society of Scotland's comment refers to the World Heritage Site and is a planning matter and not one to be considered under the listed building application.

The proposals do not comply with the development plan or the non-statutory guidelines 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 refuse this application for the reasons that the character and integrity of the listed building is adversely affected, and takes action to enforce the removal of the paint work using a method least harmful to the fabric of the building or the repainting of the wall in an appropriate colour.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Duncan Robertson on 0131 529 3560 (FAX 529 3717)
<b>Ward affected</b>	18 - New Town
<b>Local Plan</b>	Central Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Office Core
<b>Date registered</b>	28 November 2005
<b>Drawing numbers/ Scheme</b>	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](http://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 or on [martin.easson@edinburgh.gov.uk](mailto: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 [gavin.king@edinburgh.gov.uk](mailto:gavin.king@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

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## Consultations, Representations and Planning Policy

### Consultations

No consultations undertaken.

### Representations

The application was advertised on 9 December 2005. Two letters have been received. One letter from an adjacent shop offers no objection. One letter of objection has been received from The Architectural Heritage Society of Scotland:

The mural is inappropriate within the World Heritage Site.

***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 allocated as Office Core 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.

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

Non-statutory guidelines 'ALTERATIONS TO LISTED BUILDINGS' provide general guidance for assessing proposals for both internal and external alterations.

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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 mural diminishes the character and architectural integrity of this category A listed building.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD19, in respect of Building Alterations, as the works are not compatible with the character of the original building in respect of the mural, its colour, extent and position on a wall flanking the rear of the building.
3. The proposal is contrary to Non Statutory Guidelines in respect of Alterations to Listed Buildings, as the mural detracts from the character and appearance of the category A listed building.

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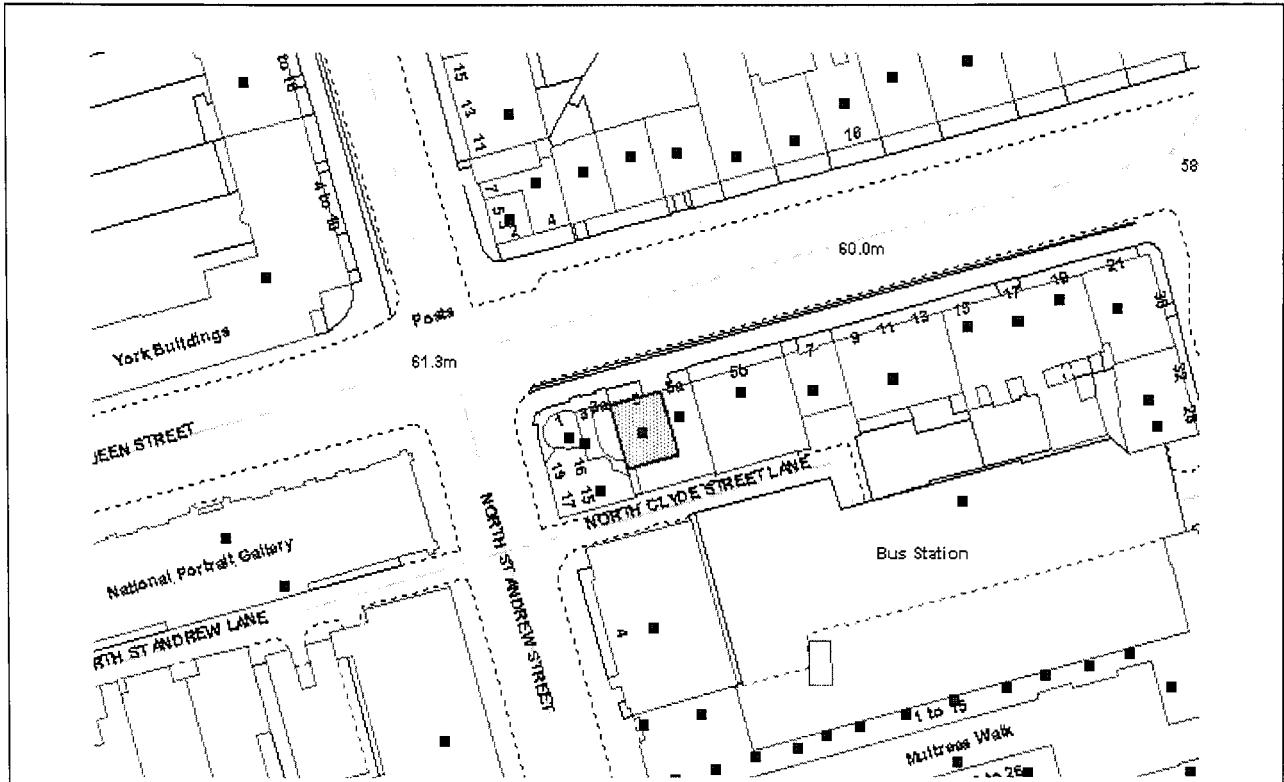
End

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## Location Plan



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