

Full Planning Application
at
187 Canongate
Edinburgh
EH8 8BN

Development Quality Sub-Committee
of the Planning Committee

Proposal: Alter, repaint frontage and change of use to form office
Applicant: Mrs Hannah
Reference No: 04/00859/FUL

1 Purpose of report

To recommend that the application be **GRANTED** subject to;

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.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. NB This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.

2 Main report

Site description

The application property is a vacant shop unit with basement. It is within the ground floor of a four-storey and attic building on the north side of Canongate. The adjacent ground floor units are in retail use. A vacant shop unit (193) and a gift shop/kilt hire (189) are located to the west, whilst a gallery/map centre (181-183) and a bookshop (175) are to the east. Entrances to the flats above are positioned in between the ground floor units. On the opposite side of Canongate is Moray House Institute of Education. The surrounding area is characterised by retail, commercial and residential uses.

The property is part of a B listed building and is located within the Old Town Conservation Area and the World Heritage Site.

Site history

There is no planning history for this application site.

Development

The proposal is for alterations and the change of use to office of a vacant shop unit.

The alterations include painting the external elevation of the property, and removing the existing shop fittings on the ground floor. In the basement new stud partitions would be erected and the built up window opening would be replaced with a fire exit door. Listed building consent has been granted for these works (ref. 04/00859/LBC).

The use proposed for the property is an office to serve a business that organises public policy conferences. The use would fall within class 4, as it would not provide services to visiting members of the public but could be carried out in a residential area. The office would be open during normal office hours from Monday to Friday.

The applicant has submitted supporting information outlining the nature of the business. An explanation of locational need has also been provided, outlining the benefits of proximity to the Scottish Parliament buildings. This is supplemented with the unavailability of alternative suitable properties in the area. This statement is available in the Party Group Rooms.

Consultations

Environmental and Consumer Services

The Department has no objection to the proposed development subject to the following condition being attached: -

The design and installation of any plant, machinery or equipment shall be such that the combined noise from all plant, machinery and equipment complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

Historic Scotland

No comments.

Representations

Neighbour notification was undertaken on 11th March and the application was advertised on 26th March.

One letter of objection was received from the Edinburgh Old Town Association. It states that no further changes of use should be allowed to erode the retail mix, which is especially important with the greater footfall that the parliament will bring.

A letter of support was received from Councillor Bill Cunningham who states the unit was previously used for offices and has been vacant for some time and would be better to be occupied.

Policy

The site is identified by the Central Edinburgh Local Plan as being within the Mixed Activities Zone and an existing Conservation Area. Canongate is not defined as a Speciality Shopping Street by the Local Plan, but the Council's Non-Statutory Guidelines on Speciality Shopping Streets (1998) does apply to Canongate.

Relevant Policies:

Policy ED2 (OFFICE DEVELOPMENT - MIXED ACTIVITIES ZONE) sets out criteria for assessing office development proposals in the Mixed Activities Zone.

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

Policy CD3 (LISTED BUILDINGS - USES) establishes a presumption (with stated qualifications) in favour of retaining a listed building in (or restoring it to) its original use.

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.

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.

Policy S7 (PROTECTION OF SHOPPING USES) sets out criteria for assessing changes of use (within defined retail frontages) from a shop unit to a service or other non-retail use appropriate to a shopping area.

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.

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

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are;

- Do the proposals preserve or enhance the character or appearance of the conservation area? there being a strong presumption against the granting of planning permission if 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 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 take account of a) the effect on the character and appearance of the conservation area, in addition to the effect on the setting and features of the listed building b) the effect on the loss of a shop unit in this shopping frontage and c) the effect on residential amenity.

a) The key elements of the Conservation Area's character are its density of building and mixture of uses with high tenements and important buildings arranged on a historic street pattern. The proposal to bring back in to use a vacant ground floor shop would have a neutral effect on the conservation area designation. The alterations necessary to enable the use to change to an office do not impact on the listed building's setting or features. Separate listed building consent has been issued for physical alterations to the exterior and interior of the building and the current proposals do not detrimentally impact on the character of the listed building.

b) The application site falls within the Mixed Activities Zone, where there is an emphasis on promoting an appropriate mix of activities that contribute to local character and vitality. Policy ED2 states that office development may be acceptable provided there would be no adverse traffic or parking impacts on the locality, the development would contribute positively to the mixed use character of the surrounding area and there would be no loss of housing and no detriment to residential amenity. The proposal for a change of use from a shop unit to office use complies with this policy.

The application site is not identified as being within a speciality-shopping street by the local plan. Non-statutory guidelines on Speciality Shopping Streets were subsequently approved by the Council on 5 November 1998. It represents supplementary guidance to the local plan's Policy S8, which states that proposals for the loss of a shop unit would not be allowed if it would undermine or be to the detriment of their special shopping character. The non-statutory guidelines include Canongate. The proposal would not result in the threshold figure for non-retail uses being exceeded, nor would it lead to the consecutive location of more than three shop units in non-shopping use. The proposal is not contrary to local plan policies on shopping and it is considered that it would not be detrimental to the shopping character of the street. The applicant has also demonstrated a locational need to be situated in this area and the unavailability of alternative suitable premises.

c) Environmental and Consumer Services has raised no objection to the application subject to the inclusion of a planning condition. It is not considered that the proposal would result in any detrimental impact on residential amenity.

It is recommended that the Committee approves this application, subject to the conditions stated.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/Tel Suzanne Walker on 529 3905

Ward affected 34 -Holyrood

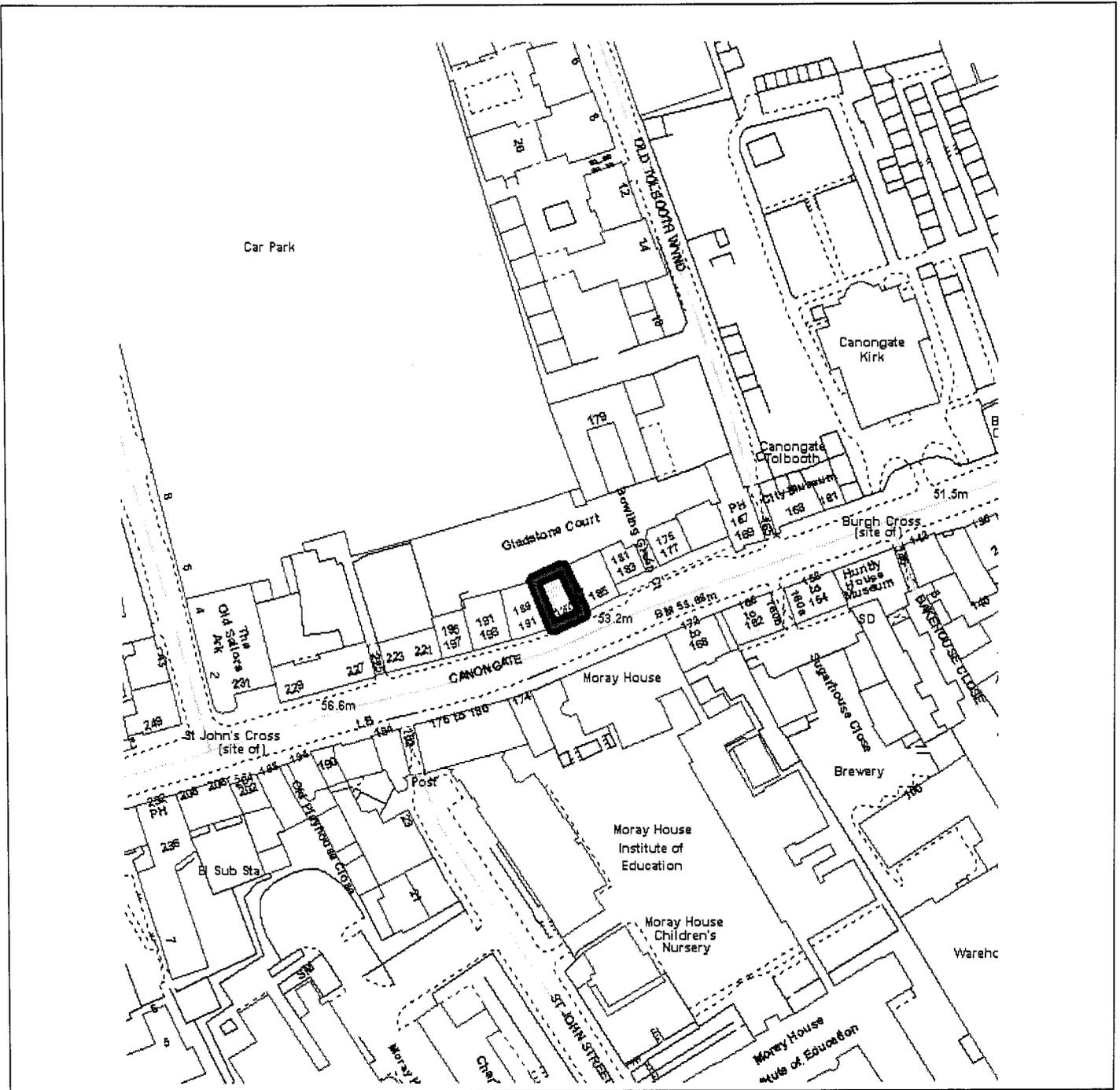
Local Plan Central Edinburgh Local Plan

**Statutory Development
Plan Provision** Mixed Activities Zone

File

Date registered 16 March 2004

**Drawing numbers/
Scheme**



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PLANNING APPLICATION

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THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			