

Enforcement Report
150 Commercial Street
Edinburgh
EH6 6LB

Development Quality Sub-Committee
Of the Planning Committee

Owner/s Unknown

Occupier Britannia Spice
Reference No: 03/00655/E05

1. Purpose of Report

Breach of Control: The unauthorised erection of an internally illuminated box fascia sign, and the unauthorised erection of a Dutch canopy above the entrance on the north side of the property. The canopy is green in colour and details the name of the restaurant in gold lettering.

Recommendation: That enforcement action is taken to secure the removal of the signage, and the Dutch canopy.

2. Main Report

Site Description: The property is a single storey restaurant at the west end of a row of two, three and four storey warehouses converted into residential accommodation known as the Moorings on the north side of Commercial Street at the junction with Ocean Drive.

The warehouse development is double-fronted; the main elevation faces onto Commercial Street and there are a series of pends that lead through the development to a less formal and predominantly pedestrianised streetscape overlooking the Holiday Inn Express and the Scottish Executive building at Victoria Dock.

The building is category B listed and lies within the Leith Conservation Area.

Site History

March 1994 – the property, formerly known as bond 13, was statutorily listed.

October 1998 – consent was granted for a change of use of the property and the development of 22 flats

January 2000 – enforcement investigations were made in respect of signage

October 2000 – advertisement consent granted for signage

June 2001 – an enforcement investigation was made in respect of signage

September 2003 – an enquiry was received regarding the signage and the canopy attached to the property.

Representations

One email was received from a neighbouring resident drawing attention to the alterations to the property.

Policy

The site lies within the North East Edinburgh Local Plan area.

Relevant Policies:

Policy E18 states that all proposals affecting a listed building, including its setting, will be considered for their effect on its character.

Policy E30 states that shop signs and shopfront advertising should in their design, scale, positioning and materials relate well to existing shopfront detail and be suited to their surroundings. Illuminated signs will generally be restricted to the defined shopping streets and in their form, dimensions and means of illumination will be carefully controlled to minimise the impact on the streetscene and the historic environment of the centre.

Policy E31 states that advertising on other commercial buildings will generally be restricted to that necessary to identify discreetly the business or company occupier. High level advertising will not be permitted.

Non-Statutory Guidelines

The Council's guidelines on Advertisements and Signs, Alterations to Listed Buildings and Shopfronts – Design and Conservation, provide additional guidance on development proposals of this type.

Section 1.7.5 in Appendix 1 of the Memorandum of guidance on listed buildings and conservation areas also provides guidance on development proposals of this type.

3. Conclusions and Recommendations

Determining Issues

The determining issues are whether the erection of an internally illuminated box fascia sign above the kitchen entrance to the premises, and the unauthorised erection of a Dutch canopy above the door, both on the north elevation of the premises, have an adverse effect on the appearance of the listed building and the character or appearance of the Leith Conservation Area.

Assessment

The property does not have a traditional shopfront, although it does have a simple and attractive frontage. On the north elevation, there is a single storey modern extension constructed in stone with timber-framed windows and a flat roof.

The box fascia sign is approximately 270 x 40 x 18 cm, and has a clear perspex front with a brushed metal trim and illuminated neon lettering inside. This is a dominant feature on the warehouse development and is not considered to be an improvement in the appearance of the building.

The Dutch canopy is dark green in colour and displays the words 'Britannia Spice Restaurant' in gold lettering. Although the canopy is attached to the modern extension, it detracts from both the appearance of the listed building and the character and appearance of the conservation area.

The alterations do not comply with Policies E18, E30 and E31 of the North East Edinburgh Local Plan. They do not comply with the Council's guidelines or the Memorandum of Guidance on listed buildings and conservation areas and are not considered to be acceptable.

It is recommended that Committee approves statutory action requiring the removal of the internally illuminated box fascia sign and the Dutch canopy from the north elevation of the property.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/Tel	Jenny Bruce on 0131 529 3762
Ward affected	12 – Newhaven
Local Plan	Mixed Activities Zone
Statutory Development Plan Provision	

File

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**Date Complaint
Received**

1 September 2003

