

**Enforcement Report into Breach of Control
at
46 High Street
Edinburgh
EH1 1TB**

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

Owner/s

Occupier Edinburgh Cashmere Shop

Reference No: 08/00358/ELBB

1. Purpose of Report

Breach of Control:

Without consent, the alteration of a statutorily listed shop front within a conservation area.

Recommendation:

It is recommended that the Committee authorises enforcement action.

The Site

Site Description

The property is a ground floor shop unit within in a five storey stone built terraced building. It is situated on the south side of the High Street close to its junction with Blackfriars Street, and is bound to the west by Toddricks Wynd. The building is category B Listed (Item No. 29065, listed 13th August 1987) and lies within the Old Town Conservation Area and the World Heritage Site.

Site History:

There is no relevant planning history for the site.

Representations

One enquiry has been received, concerning the impact of the unauthorised shop front alterations on the character and appearance of the statutorily listed building and the conservation area.

Description of Development

Unauthorised alterations, including the re-painting of the shop front in a matt grey colour scheme and the installation of an applied, timber, fascia sign with individual letters on the front elevation of a listed building.

3. Officer's Assessment and Recommendations

The determining issues are whether the development is acceptable with regard to the provisions of the development plan, so far as they are material, to any other material considerations, and in the light of these considerations, whether it is expedient to initiate enforcement action.

For this purpose the Committee needs to consider whether the development has an adverse impact on the character or appearance of the statutorily listed building and the Conservation Area.

It is considered that the application of the matt grey paint is acceptable in planning terms and complies with listed building and Conservation area policy and the Councils non-statutory guideline, 'Commercial Frontages'. Therefore, no further action is required in regard to the unauthorised painting.

However, the, newly applied, timber fascia, with individual lettering, is not of a traditional design, and as the original shop front entablature with fascia and cornice detailing is still in place, the masking of this detail with a bland rectangular, timber, fascia board, on a historic building is inappropriate. The individual lettering as such is appropriate and complies with the Councils non-statutory guideline, 'Commercial Frontages'. Nonetheless, the use of the timber fascia board, to display such lettering, is unauthorised and is not compatible with the character of the original building, and such has an adverse effect on the character and appearance of the listed building, the Old Town Conservation Area and the world heritage site.

It is therefore recommended that Committee initiates statutory enforcement action to require the removal of the, rectangular timber fascia board with applied lettering, and reinstate the original shallow fascia and cornice detail.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Ross Middleton on 0131 529 6127
Ward affected	Ward A11 - City Centre (NEW)
Local Plan	Central Edinburgh
Statutory Development Plan Provision	Housing & Compatible Uses
File	
Date Complaint Received	27 May 2008

Planning Policy

The property lies within the Central Edinburgh Local Plan.

The following policies are relevant:

Policy CD 2 (Listed Buildings) determines that:

'All proposals affecting a listed building or its setting, will be considered for their effect on its character.'

Policy CD 23 (Shop front Design) states that:

'A high standard of shop front design will be promoted. Alterations to existing shop front will only be approved if the proposal is an improvement on what exists.'

Policy CD 24 (Shop signs) requires that:

'Shop signs and shop front advertising should in their design, scale, positioning and materials relate well to existing shop front detail and be suited to their surroundings.'

The newly adopted Edinburgh City Local Plan requires:

Policy Des 12 (Shop fronts)

'Alterations to shop fronts will be permitted which are improvements on what already exists and relate sensitively and harmoniously to avoid harm to the visual amenity of shopping street or the character of historic environments.'

Policy ENV 5 (Conservation Areas – Development):

'Development within a conservation area will be permitted which; preserves or enhances the special character or appearance of the conservation area; demonstrates high standards of design and utilises materials appropriate to the historic environment.'

Non-statutory guidelines on Commercial Frontages provide guidance on shop front alterations including painting and adverts.

Appendix A

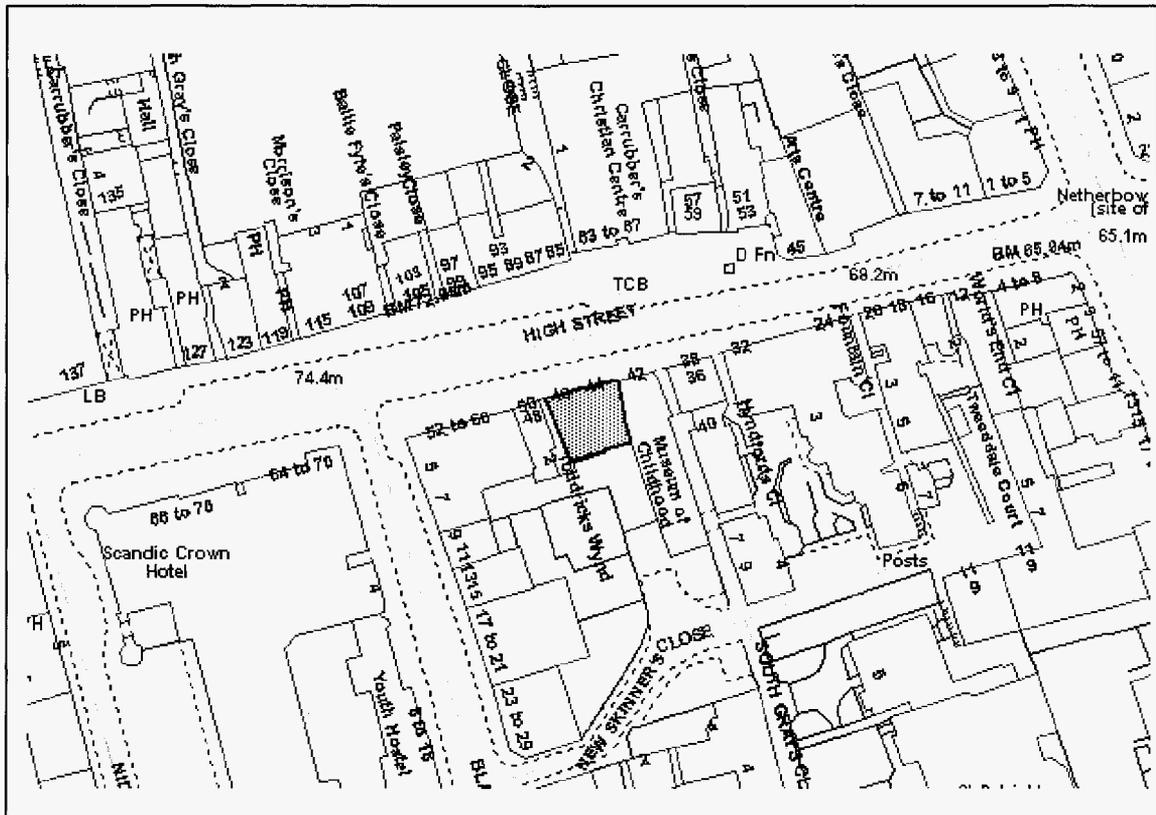


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Location Plan



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