

**Full Planning Application**  
**at**  
**33 Polwarth Crescent**  
**Edinburgh**  
**EH11 1HR**

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

**Proposal:** Change of use to form single residential dwelling and re-instatement of traditional style frontage  
**Applicant:** Mr J Gargaro  
**Reference No:** 03/02119/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 development shall not commence until a scheme for protecting the residential development hereby approved from noise from the neighbouring public house has been submitted to and approved in writing by the Head of Planning & Strategy; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning & Strategy before any part of the development is occupied.

## **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to protect the amenity of the occupiers of the development.

## **2 Main report**

### **Site description**

The application property is a vacant ground and basement shop unit forming part of a 4-storey Victorian tenement and is a category C (S) listed building. The existing frontage is made up of poor quality infill timber panelling painted bright blue with glazing and is in a very poor state of repair. The application property is bound by a common stair to the south leading to the upper flats, with a retail unit next to the stair and a public house (Polwarth Tavern) to the north.

### **Site history**

14.05.2002 - consent refused for change of use to a residential dwelling and alterations to shop front. 02/00730/FUL. The proposals were contrary to:

- Policy CD19 (Building Alterations), as the proposed replacement frontage will be detrimental to the character of this building
- Policy H3, (Conversion of Non-Residential Buildings to Housing), as the proposed residential unit will be incompatible with the neighbouring public house
- Policy H11, (Housing Amenity), as the proposed residential unit will be unable to achieve a reasonable level of residential amenity.

19.03.2003 - appeal dismissed for change of use to a residential dwelling and alterations to shop front. 02/00730/FUL

### **Development**

The proposals involve the change of use of this vacant ground and basement level unit to form a one bedroom flat, and the insertion of a replacement timber and glazed frontage. This will be to a traditional design keeping the shopfront appearance. The frontage will be constructed in timber with a partially glazed stallriser, a central mullion with astragalled glazing and a timber panelled double leaf storm door to match the original common stair door at No. 31 Polwarth Crescent. A dark green colour scheme is proposed for the frontage,

## **Consultations**

### **Environmental and Consumer Services**

The Department has serious concerns regarding the application due to the juxtaposition of incompatible uses in that there is currently exists a public house adjacent to the proposed residential development.

Future residents of the proposed unit would not be able to enjoy the level of amenity that would be expected and, therefore, this Department would not be in a position to support this application.

### **Representations**

No representations have been received.

### **Policy**

The application property is located within an area of Housing and Compatible Uses of the Central Edinburgh Local Plan.

#### Relevant Policies:

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

Policy H2 (HOUSING DEVELOPMENT) encourages, and sets out criteria for assessing, proposals for housing development within the Mixed Activities Zone.

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.

Non-statutory guidelines on 'SHOPS - CONVERSION TO RESIDENTIAL USE' provide guidance for assessing such proposals.

## **3 Conclusions 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 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 consider:

- a) whether the proposed use is acceptable in this location;
- b) whether the proposals have an adverse impact on the building;
- c) whether the design is satisfactory given the setting of the site;
- d) whether the proposals are detrimental to residential amenity or road safety.

a) The refusal for the proposed change of use to residential and alterations was subject to an appeal in March 2003. The Scottish Executive Reporter was supportive of the proposed residential use in this location, although dismissed the appeal on the proposed replacement frontage.

In support of the change of use to residential, the Reporter states, " I consider that the proposal can still expect a reasonable level of amenity and no less than that enjoyed by its city centre neighbours, in particular those immediately adjoining the Polwarth Tavern." The Reporter considered the proposed residential use would not conflict with Policy H3.

Despite the Reporter supporting the proposed residential use, he concluded that, "while the appearance of the existing frontage does nothing to enhance the listed building, I consider that the proposed alteration to that frontage, would not add a feature of architectural value and it would have an adverse effect on the listed building." The appeal was therefore dismissed as being contrary to policy CD19 'Building alterations', the non-statutory policy on 'Shops - Conversion to Residential' and would have an adverse effect on the listed building.

Whilst the concerns of Environmental and Consumer Services are acknowledged, the appeal decision is a material planning consideration and in light of the appeal statement, the proposed residential use is supported in this location. A condition is recommended for a scheme to be implemented to protect the residential unit from noise from the public house.

b) The proposed replacement frontage will be an improvement on the currently dilapidated frontage and will improve its appearance within the streetscene. The proposed frontage will make a positive contribution to the immediate area and will enhance the appearance of this listed building.

c) The replacement frontage has been designed in the form of a traditional shop front. Although no historic records are available to confirm what the original frontage would have been, the proposed replacement frontage is of suitable quality to be supported. The design is high quality and will enhance this element of the listed building.

d) Polwarth Crescent is located within an area of uncontrolled parking and the proposal to add this one bedroom unit will be acceptable in terms of parking and road safety. In support of the proposed change of use to residential the Reporter states, "The appeal proposal is for a residential use of limited scale. Accordingly, I do not consider that the appeal proposal would introduce such traffic or activity to the detriment of residential amenity in the vicinity and therefore, I consider that the proposals do not contravene Policy H11." The proposed use will be compatible with surrounding residential uses within the area and will not be detrimental to existing residential amenity.

The proposals will not be detrimental to road safety or residential amenity.

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the building and its setting, and have no detrimental impact on residential amenity or road safety.

There are no material planning considerations, which outweigh this conclusion.

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

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

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**Ward affected** 45 -Merchiston

**Local Plan** Central Edinburgh

**Statutory Development  
Plan Provision** Housing and Compatible Uses

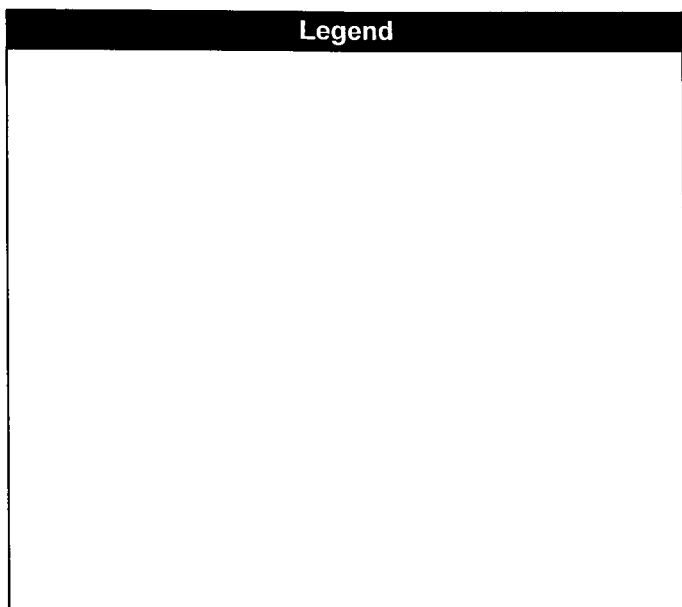
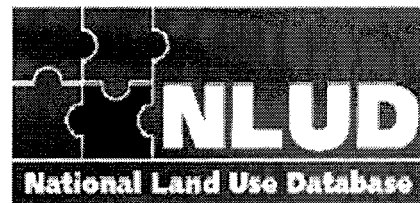
**File**

**Date registered** 23 June 2003

**Drawing numbers/  
Scheme** 01-04  
Scheme 1

# 33 POLWARTH CRESCENT

03/02119/FUL



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Organisation	CITY OF EDINBURGH COUNCIL
Department	CD - PLANNING & STRATEGY
Comments	Not Set
Date	08 August 2003
SLA Number	