

Development Management Sub Committee

Wednesday 6 October 2021

**Application for Planning Permission 20/03501/FUL
at 25A Dundas Street, Edinburgh, EH3 6QQ.
Remove existing shop sign and erect new non-illuminated
individual metal letters signage on stand-offs, paint stone
facade, window and door and change use class from Class
1 shop to Class 1, 2 and 4 (as amended)**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposal complies with the adopted local development plan and associated guidance. The proposal is acceptable in principle, will not negatively impact on the listed building or conservation area, and will not be detrimental to neighbouring residential amenity. There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LRET06, LEN04, LEN06, LDES05, NSG, NSLBCA, NSBUS,

Report

Application for Planning Permission 20/03501/FUL at 25A Dundas Street, Edinburgh, EH3 6QQ.

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Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The application site is a B listed (Listing date: 18/08/1964; listing reference: LB28707), ground floor and basement unit located on Dundas Street. The site is part of an early 19th Century, David Paton designed, 4-storey tenement and basement. The site has residential units above. The site is within the Edinburgh World Heritage Site. This application site is located within the New Town Conservation Area.

2.2 Site History

27 October 2020 - Listed building consent granted for: Remove existing shop sign and erect new non-illuminated individual metal letters signage on stand-offs, paint stone facade, window and door and change use class from Class 1 shop to Class 1, 2 and 4 (as amended) (application reference: 20/03502/LBC).

Main report

3.1 Description of the Proposal

Planning permission is sought for a hand painted sign, to paint the stone facade, window and door and change use class from Class 1 shop to a mixed Class 1, 2 and 4,

Scheme 1

The initial submission was to remove the existing shop sign and erect non-illuminated individual metal letters signage on stand-offs. This has been revised to a hand painted sign instead.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of the proposal is acceptable in this location;
- b) the proposal will impact on the listed building and conservation area;
- c) the proposal will result in an unreasonable loss of neighbouring amenity;
- e) any impacts on equalities and human rights are acceptable and
- f) any comments have been addressed.

a) Principle of Development

The site is situated within the Urban Area where a mix of uses is supported. LDP Policy Ret 10 (Alternative Use of Shop Units in Other Locations) states that where a proposal site is located within a predominantly commercial area, whether the proposal would be compatible with the character of the area and whether the proposal would result in the loss of premises suitable for small business use.

Dundas Street is characterised by commercial units at ground and basement level with residential above. The site is currently in class 1 use as a shop and the change of use to a hairdresser, also a class 1 use, would not require planning permission. At basement level it is proposed to alter the use to include a class 2 use for a beauticians and class 4 use for an office. Both of these uses are present on the street in other areas and would be compatible with both the class 1 use as a hairdresser and the wider character of the area.

The proposal would not result in the loss of a premises suitable for a small business and is compatible with the character of the area. The proposal complies with policy Ret 10.

b) Listed building and conservation area

The proposal will not impact on any historical architectural features and will therefore not adversely impact on the special architectural or historic interest of the listed building. The changes to the listed building are of a minor scale. The colour change is acceptable, and the painted sign is an improvement on the existing signage. The proposal complies with policy Env 4 as it will not cause damage to the historic structure or result in the diminution of its interest.

The proposed alteration will have a positive impact on the character and appearance of the conservation area as the new hand painted signage and painting of the stone are an improvement on the premises as existing. The proposal complies with LDP Policy Env 6 as it preserves and enhances the special character and appearance of the conservation area.

c) Residential Amenity

LDP Policy Des 5 (Development Design - Amenity) states that permission will be granted where the amenity of neighbouring developments is not adversely affected by a proposal.

As stated in section a) of the report, the change of use to a hairdresser would not require planning permission as it falls within the same use class as the existing use. The use as a class 2 beautician is similar in terms of use to that of a hairdresser by virtue of its function and how the business is carried out. It is not considered that the use of a class 2 at this site will result in a detrimental impact on residential amenity. In terms of any issues from chemicals from the beauticians or hairdressers, this would be covered by separate legislation outwith the remit of planning.

Class 4 use is also proposed as an office use outwith class 2. Class 4 use can also include a use for research and development of products or processes or for any industrial process that would not be detrimental to the neighbouring residential amenity. In order to alleviate potential issues around this use a condition has been attached restricting the class 4 use solely to that of an office.

The proposal shall not have a detrimental impact on neighbouring residential amenity and complies with LDP Policy Des 5.

d) Equalities and human rights

No issues have been identified.

e) Public comment

A total of 13 letters of objection have been received. The contents of these are summarised below:

Material Considerations

- Use is not appropriate at this location: addressed in section 3.3(a);
- Potential noise nuisance: addressed in section 3.3(c);
- Potential for class 6 use: addressed by attached conditions.

Non-material Considerations

- Chemicals from beautician/hairdresser
- Potential fire hazard

Conclusion

The proposal complies with the adopted local development plan and associated guidance. The proposal is acceptable in principle, will not negatively impact on the listed building or conservation area, and will not be detrimental to neighbouring residential amenity. There are no material considerations that outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. Notwithstanding the criteria set out within Class 4 of the Town and Country (Use Classes) (Scotland) Order 1997 and Class 13 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, the element of the proposal to be used as an office shall remain in such use and shall not benefit from any other rights conferred within the above classes of the aforementioned statutory instruments.

Reasons:-

1. In order to safeguard neighbouring residential amenity.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Following statutory neighbour notification, thirteen letters of objection have been received.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development**Plan Provision**

The site is within the Urban Area, New Town Conservation Area and the Edinburgh World Heritage Site.

Date registered

31 August 2020

Drawing numbers/Scheme

01A,

Scheme 2

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail: murray.couston@edinburgh.gov.uk

Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Appendix 1

Application for Planning Permission 20/03501/FUL

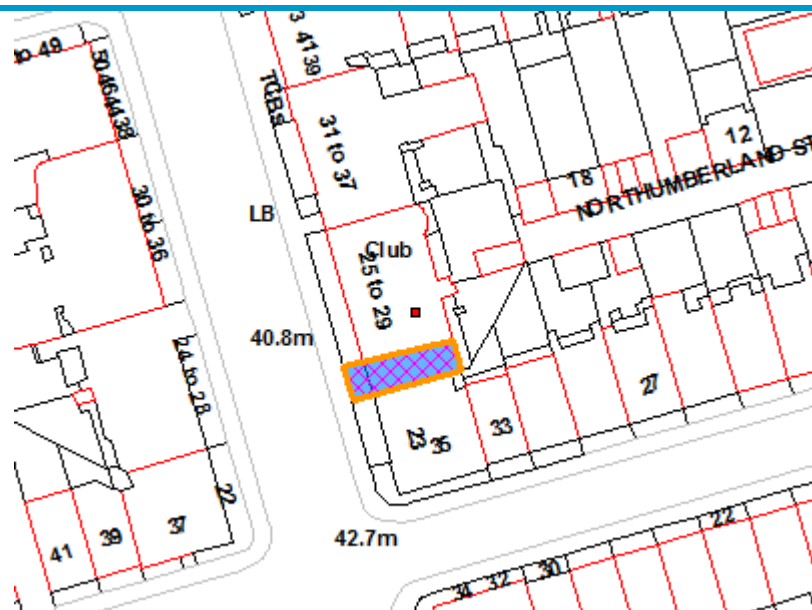
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Consultations

No consultations undertaken.

Location Plan



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