

**Application by City of Edinburgh Council
at
Gibbs Entry
Edinburgh
EH8 9HP**

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

Proposal: Place communal paper recycling container
Applicant: The City Of Edinburgh Council.
Reference No: 04/00335/CEC

1 Purpose of report

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

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The application shall be referred to the Scottish Ministers prior to determination.

Reasons

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

2 Main report

Site description

The site is a section of footway to the west side of the intersection of Gibbs Entry and Haddon's Court road. Immediately adjacent to the site, there is a modern pond, which leads through to Nicolson Street. The surrounding area is a mixture of modern tenement buildings with ground floor commercial premises and residential flats.

The site is within the Southside Conservation Area. There are no listed buildings near to the site. The site is not within the World Heritage Site.

Site history

There is no relevant planning history for this site.

Development

The application is for the permanent siting of a 1600 litre non-wheeled recycling container.

Supporting Statement - Available for inspection in Party Group Rooms.

The Lothian and Borders Area Waste Plan which was adopted in September 2002 has been developed by the Waste Strategy Group to establish a framework for improved waste management and increase provision for recycling across the five local authority areas.

In March 1997 the Environmental Services Committee approved the "Containerisation of Refuse" report recommending that the City adopt a rigid bin refuse collection. In adopting this course, the Committee recognised the shortcomings of a sack-based refuse collection service. The indiscriminate presentation of adequately contained refuse on the streets up to seven days per week resulted in litter, spillage and staining on the streets, in addition to posing an obstruction to pedestrians.

Consequently, containers were introduced on a trial basis to the Newington area in April 1998 as part of the Council's containerisation initiative. On 16 February 2000, the Development Control Sub-Committee granted planning permission for the first application submitted by the Environmental and Consumer Services Department for the siting of permanently fixed communal refuse containers. This was subject to approval by the First Minister, which was duly granted on 27 March 2000. In the intervening period, experience of operating the system has resulted in various changes in locations, sizes, use of fixings and emptying frequencies of the containers. All changes have been made with a view to fine-tuning and delivering an efficient method of refuse collection.

Permission to locate the containers as identified in this application would allow the current collection arrangements in the named street to change from a sack collection to a containerised service, in line with Council policy.

Furthermore, increased pressure from the European Union and Central Government to divert waste from landfill and to tackle our poor rates of recycling have resulted in the need for on street recycling facilities. There are various ways in which the Local Authority propose to meet these challenges including the development of separate segregated collections, additional bring in recycling centres and the introduction of on street recycling facilities for those who are unable to participate in source segregated kerbside collections. These however will depend on public support and participation, in addition to Council acceptance and support.

In identifying the proposed location, great care has been taken to balance the often conflicting priorities of Transportation, Planning and Waste Management. All sites have passed a Road User Survey audit and City Development (Transportation) have been made aware of the location at an early stage in order to ensure that there is no conflict with Greenways, cycle routes etc. Given the exhaustive nature of these deliberations, it is believed that the best possible site has been identified representing the balance of interests.

The container requires planning permission since it is within the South Side Conservation Area which has an article 4 and class 30 exemption which removes the local authorities permitted development rights.

Consultations

No consultations undertaken.

Representations

The application was advertised on the 13 February 2004. Five letters of objection have been received, a summary of which are as follows:

1. Visually obtrusive
2. Increase in noise, litter and health hazard
3. *Would compromise road and pedestrian safety*
4. Increase vandalism
5. The container is not suitable to this residential area

Policy

Central Edinburgh Local Plan:

Mixed Activities Zone

Southside Conservation Area

Non-Statutory Guidelines CONTAINERISATION provide guidance on the siting of refuse collection facilities.

Relevant Policies:

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 CD22 (STREETSCENE) sets out design and quality objectives for street furniture and paving.

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.

3 Conclusions and Recommendations

The determining issues are:

- Does the proposal 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;
- Does the proposal comply with the development plan?
- If the proposal does comply with the development plan, are there any compelling reasons for not approving them?
- If the proposal does not comply with the development plan, are there any compelling reasons for approving them?

Assessment

To address these determining issues, the Committee needs to consider whether a) the location indicated for the container is appropriate and will not have an adverse effect upon the character and appearance of the conservation area and b) whether there will be any adverse effect upon the amenity of neighbouring occupiers or road and pedestrian safety.

a) The character of the Southside Conservation Area is summarised in the local plan as follows; -

The South Side Conservation Area lies immediately to the south of the line of the defensive walls to the city formed by the Flodden Wall built between 1514 - 1560 and extended by the Telfer Wall built between 1628 - 1636. A clear space was left on the inside of the wall of 12 ft and on the outside of 24ft. This external space was used later for roads, forming the street pattern of today. Consequently, the northern boundary of the conservation area formed by Drummond Street, South

College Street, Bristo Port, Bristo Place and Teviot Place follows the line of the defensive walls.

Gates, or ports, at Potterow, Bristo Port and latterly Forrest Road punctuated these walls. These gates were served by two roads approaching from the south, one following the line of Dalkeith Road/Pleasance and the other following the line of Causewayside/Buccleuch Street.

Whilst of functional design, the introduction of communal refuse containers has been accepted within certain conservation areas as, on balance, they enhance the appearance of these areas through the removal of black refuse sacks from pavement areas/carriageways. The communal paper-recycling container proposed is also a functional design and would be painted black.

The container proposed for Gibbs Entry would be located on the footway immediately adjacent to a modern pend leading to Nicolson Street. The siting would minimise any visual intrusion given that it is essentially well screened from view. No vehicles can access the adjacent pend either from Nicolson Street or Gibbs Entry, as there are existing bollards of some 1.0 metre in height restricting this.

The container is not located directly in front of any listed buildings. The container would reduce the existing visual clutter created by black refuse bags and, as a result of its location, would have no adverse effect upon the character and appearance of the conservation area.

b) The container will not result in the loss of light to any neighbouring properties. In terms of road safety, the position of the container has been considered within the road users safety audit. Pedestrian safety will not be compromised.

In conclusion, residential amenity and pedestrian and road safety will not be affected by the proposal and the character and appearance of the conservation area would be preserved. There are no material considerations to outweigh this conclusion.

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

As this is a Council application and there have been objections, it must be referred to the First Minister as a Notice of Intention to Develop.

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Ward affected 33 -Southside

Local Plan Central Edinburgh Local Plan

**Statutory Development
Plan Provision** Southside Conservation

File

Date registered 2 February 2004

**Drawing numbers/
Scheme**

