

**Application by City of Edinburgh Council
04/03887/CEC**

at

**Duke Street
Edinburgh
EH6 8HN**

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

1 Purpose of report

To consider application 04/03887/CEC, submitted by The City Of Edinburgh Council. The application is for: **Place communal domestic refuse container (in retrospect)**

It is recommend that this application be **APPROVED**.

2 The Site and the Proposal

Site description

The proposed site is on the north side of Duke Street, partially overlapping onto the footpath, around midway along the road.

It stands at the junction of a tenement and a converted church hall. All ground floor uses are now residential.

Duke Street is a busy and narrow arterial transport corridor within Leith, in the Leith Conservation Area.

Site history

18.6.2001 - consent granted for communal bin in its previous location, just to the west.

Description of the Proposal

The application proposes the relocation of a large communal bin from a pavement location on Duke Street to a kerbside position on the carriageway.

The move is necessitated by the development of a gap site on Duke Street. The bin previously stood in front of the gap but would block domestic windows if left unmoved.

The alterations required to the kerb edge to accommodate the bin have already taken place, and the bin was put in place during the course of the application.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are

- Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting planning permission.
- Do the proposals comply with the development plan?
- If they do, are there any compelling reasons for not approving them?
- If they do not, are there any compelling reasons for approving them?

Conservation Area Character Statement

The Leith Conservation Area covers the extent of the historic town, including the Madeira Area (Leith's 'First New Town'), and also Leith Walk - the town's main link with Edinburgh City Centre. The character of the Conservation Area derives from Leith's history both as a port and as an independent burgh. Several fine Georgian and Victorian warehouses survive, some now converted for residential or office use; in many cases these were initially built to hold wine and dry goods, although many were converted in the late 19th Century to serve the whisky industry. A rich mixture of civic buildings and mercantile architecture survive, particularly at Bernard Street and The Shore. Significant earlier buildings include Lamb's House and St Ninian's Manse (both early 17th Century); although many more recent buildings have been

built, the present street pattern of The Shore closely follows that of the historic town.

The Inner Harbour of the Water of Leith provides a vibrant focus for the Conservation Area, with buildings along The Shore forming an impressive waterfront townscape. The Conservation Area also covers the older parts of Leith Docks, containing many early features including listed dock buildings and the Victoria Bridge, a scheduled Ancient Monument.

The Madeira area retains a largely Georgian domestic character, with stone buildings and slate roofs predominating; some of the Georgian buildings retain astragaled windows and doors with fanlights. Many of the roads are setted, the main exception being Prince Regent Street; stone garden walls are a feature of this area. North Leith Parish Church provides a visual focus to this mainly residential area, which also includes major public buildings such as Leith Library and Town Hall.

Leith Walk remains the main artery linking the centre of Edinburgh to the old burgh of Leith. It is characterised mainly by Victorian tenements with shops and pubs at the ground floor level. There are a number of Georgian survivals, most notably Smith's Place dating from 1814. Between Smith's Place and Albert Street lies a series of tenemented streets, mainly designed by John Chesser.

Building types within the Conservation Area, vary but are traditionally of stone with slate roofs; however more recent building has generally used block or render and traditional brick where previously found. Pockets of public housing development of the 1960s and 1970s, of a contemporary character, fall within the expanded Conservation Area. Open space is concentrated at Leith Links, which provides a spacious contrast to the relatively dense settlement pattern of the remainder of the Conservation Area.

ASSESSMENT

In order for the Committee to determine this application the following issues should be considered a) the effect of the amended proposal on the character and appearance of the conservation area b) the effect on neighbouring amenity c) road safety issues

a) The proposal is little different in its effect than the site it replaces, just to the west.

Given that the proposed location is customised to the needs of the bin, the overall solution is neater than previously, and a small improvement to the appearance of the conservation area is achieved.

The building to the north-east is listed, but the effect is no different on its setting than that of a parked vehicle.

b) The bin has been sited so as to overlap two property boundaries and avoid lying in front of any windows.

There is no effect to daylight to any window.

Concerns raised about fire-raising are not planning issues, but it is noted that locating the bin away from the building frontage (its previous location) should reduce any potential likelihood of damage to the building.

Other bins exist on the street and in the wider area, and this application simply resites one of the existing bins.

c) Transport has made no comment on the application.

The alterations to the kerb alignment were executed with full discussion with that section regarding the operational requirements of the road.

The bin projects less than a parked vehicle. The road here is 8.5m wide, ample for operational requirements. During the daytime there are parking restrictions preventing parking on the street. At night vehicles do park here, but traffic volumes are much reduced.

The bin will prevent one vehicle from parking on the street, but this effect is minimal and acceptable.

It is recommended that the Committee approves this application, subject to the views of the First Minister.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Stephen Dickson on 0131 529 3901 (FAX 529 3706)
Ward affected	22 - Lorne
Local Plan	North East Edinburgh
Statutory Development Plan Provision	Mixed Activities
Date registered	20 October 2004
Drawing numbers/ Scheme	1 + technical info Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Graham Dixon on 0131 529 3519. Email: graham.dixon@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Application by City of Edinburgh Council
Application Address: Duke Street
Edinburgh
EH6 8HN
Proposal: Place communal domestic refuse container (in retrospect)
Reference No: 04/03887/CEC

Consultations, Representations and Planning Policy

Consultations

Representations

The application was advertised on 12th November 2004.

One objection was received. Issues raised were:

1. This cited incidents of fire-raising upon materials left in a recessed doorway near the proposed location. The bin will be a fire hazard.
2. The bay created will only hold one large bin so others will be required on the street.
3. Duke Street is narrow already and congestion will worsen.

Full copies of the representations made against this application are available in Group Rooms or can be requested for viewing at the Front Counter, 1 Cockburn Street.

Planning Policy

The site lies in a Mixed Activity Area in the Leith Conservation Area as shown in the NEELP.

Relevant Policies:

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E22 (CONSERVATION AREAS - REDEVELOPMENT): sets out criteria against which new development in conservation areas will be assessed.

Appendix B



Application Type Application by City of Edinburgh Council
Application Address: Duke Street
Edinburgh
EH6 8HN
Proposal: Place communal domestic refuse container (in retrospect)
Reference No: 04/03887/CEC

Conditions/Reasons associated with the Recommendation

Recommendation

To recommend that **Approved**.

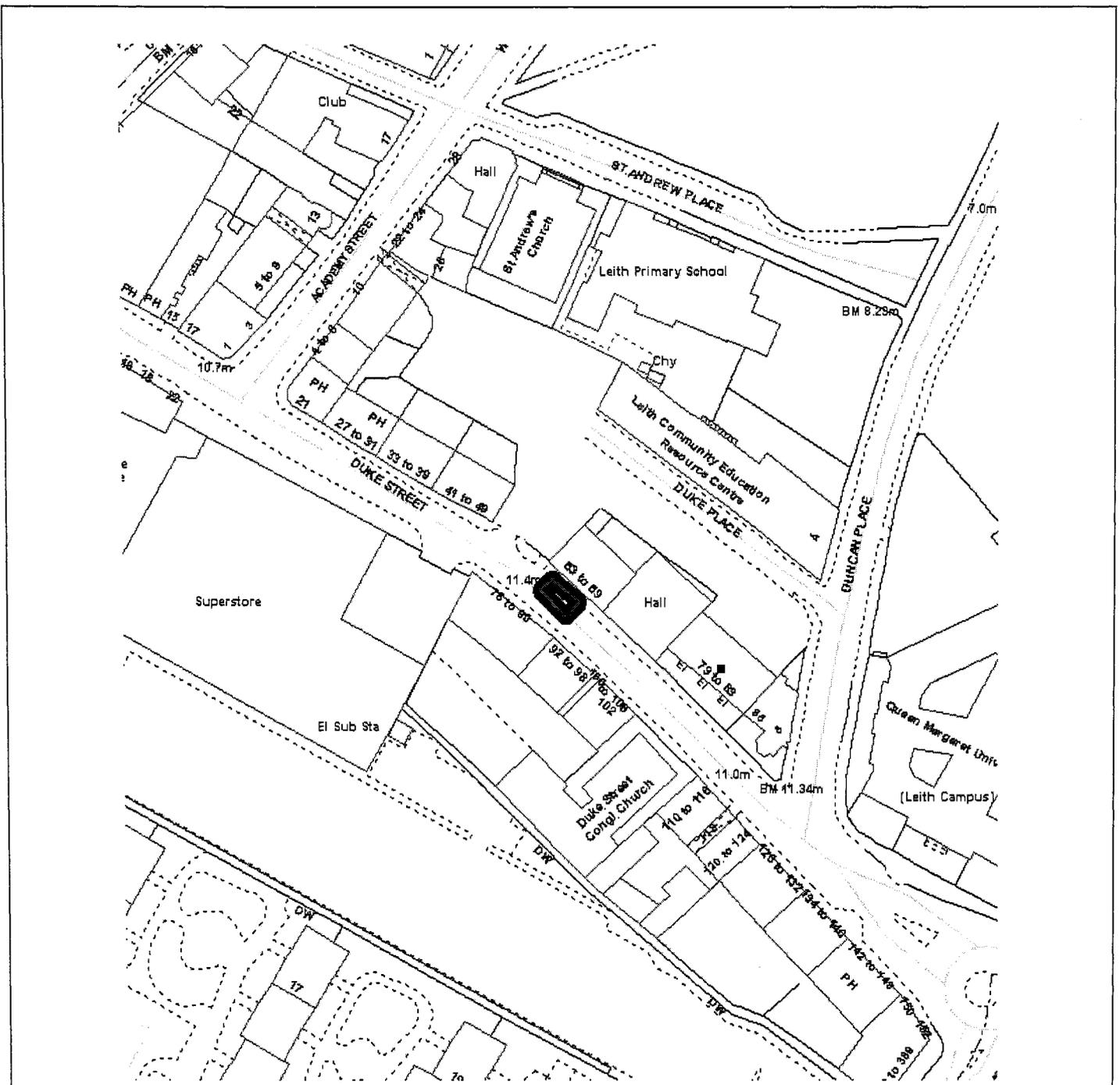
Conditions

1. 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.

End



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PLANNING APPLICATION

Address	Duke Street, Edinburgh, EH6 8HN		
Proposal	Place communal domestic refuse container (in retrospect)		
Application number:	04/03887/CEC	WARD	22- Lorne
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			