

**Application by City of Edinburgh Council
04/03446/CEC**

at

**Ramsay Place/Mentone Avenue
Edinburgh
EH15 1JA**

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

1 Purpose of report

To consider application 04/03446/CEC, submitted by The City Of Edinburgh Council. The application is for: **Siting of two communal paper recycling containers.**

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

2 The Site and the Proposal

Site description

The application site consists of one location in Ramsay Place within the public road immediately adjacent to an existing site for two domestic refuse containers to the front of No 7 Ramsay Place, a four storey stone built, terraced property divided into flats. The second location is in Mentone Avenue, again within the public road, at a point where the road widens out through a tight left-right bend. The container is to be located immediately to the front of No 6 Mentone Avenue, a four storey terraced property divided into flats.

The two roads adjoin one another at the northern end of the Portobello conservation area. They include a combination of four storey stone faced terraced, flatted properties opposite terraces of two storey dwelling houses. A large blank side elevation of a club, that fronts onto Bath Street, stands at the

south eastern end of Mentone Avenue. The elevation is set back and there are a number of trees immediately fronting the road. The club, built as a cinema in 1938 in the 'art deco' style, and the terrace of 5 dwellings (No's 1 to 5 Mentone Avenue) are category C(s) listed buildings.

Site history

There is no relevant planning history for this site.

Description of the Proposal

The application is for siting of two 1,280 litre paper recycling containers, one at each of the sites. They are black in colour with a blue lid and mounted on wheels. They will result in road markings within the carriageway within which the containers will stand resulting in the loss of the use of the carriageway for their present use as two informal car parking spaces.

An additional plan has been submitted to identify the proposed relationship between the proposed recycling container and two existing refuse containers in Ramsay Place.

Supporting Statement - Available for inspection in Party Group Rooms.

This application forms part of the City of Edinburgh Council's commitment to seek to meet its targets as set out in the Lothian and Borders Area Waste Plan (2003). This proposal will provide recycling facilities for the local area. The sites have passed a Road User Safety Audit.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals harm the character and appearance of the conservation area? If they do, there is a strong presumption against the granting of planning permission.
- do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If 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 these determining issues, the Committee needs to consider whether; (a) the scale and design of the proposals are appropriate in terms of the setting of a listed building and preserving or enhancing the character and appearance of the conservation area; (b) there are any implications for road safety; and (c) there will be any loss of residential amenity as a result of the proposals.

a. The character of the Portobello conservation area is summarised as follows:

Portobello Conservation Area includes several distinct character zones. The High Street provides a focus for the conservation area, retaining many original two-storey early 19th century buildings, as well as a number of significant public buildings. The seaside character of the Promenade is still evident, despite the loss of the pier and construction of several modern buildings of poor quality. The remainder of the area includes an abundance of fine Georgian (and later) villas, as well as a robust stock of Victorian tenements, public buildings and churches. In total there are 179 listed buildings within the conservation area, including building groups of particular interest in Brighton Crescent and Brighton Place.

This part of the conservation area is characterised by traditional terraces and tenements which contribute to the high quality built amenity and character of the area.

The functional design of these containers, for refuse purposes, has been accepted in other conservation areas in the City as, on balance, they have a beneficial impact of removing black refuse sacks from pavements and carriageways. These containers are for recycling purposes to provide a local facility and to allow the Council to meet its waste targets.

There are a number of refuse containers of the same size and capacity elsewhere in Ramsay Place. Indeed, it is proposed to locate one of the containers immediately adjacent to two refuse containers and existing parked cars. Accordingly, it will be seen as part of the existing street furniture and partially screened by those cars. As such it will have no adverse effect upon the character and appearance of the conservation area.

The Ramsay Place site is not located close to any listed buildings and as such would have no listed building impact.

There are no similar containers located in close proximity to the site in Mentone Avenue. There are refuse containers located at the northern end of the road. As the container is to be located on the inside of the bend in the road it will be viewed from a wider perspective, from both Mentone Avenue and Bath Street. However, given the size and position of the container, within existing parked cars, it will not have an adverse impact effect upon the character and appearance of the conservation area.

The container is positioned adjacent to No 6 Mentone Avenue, which is not a listed building. It is, however, in close proximity to the listed terrace of properties (No's 1 to 5 Mentone Avenue). These have a group value as a late 19th century terrace of villas in a cottage style. They are of interest for the variety within their unified form and for details of interest common to the whole. Again, the size, colour and position of the container will have no little impact upon the setting of these listed buildings.

b. The two sites have been subject to a Road User Safety Audit prior to submission and will not compromise pedestrian safety. Transportation has raised no road safety issues.

c. The concerns raised of the potential for noise and disturbance from the use of the containers are conjecture and are not material. The proposed containers will not result in a loss of light to either of the adjoining properties. There will be no detrimental loss of residential amenity.

In conclusion, the proposal is in accordance with the Development Plan, it preserves the setting of the adjacent listed building and the character and appearance of the conservation area and it will not have any adverse implications for road safety or residential amenity. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approve this application.

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

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	John Maciver on 0131 529 3918
Ward affected	39 - Portobello
Local Plan	North East Edinburgh
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	27 September 2004
Drawing numbers/ Scheme	01-02 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 the Co-ordinator, Ken Scott, by 12 noon on the Monday preceding the meeting. Ken can be contacted on 0131 529 4245. Email: ken.scott@edinburgh.gov.uk.

Application Type Application by City of Edinburgh Council
Application Address: Ramsay Place/Mentone Avenue
Edinburgh
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Consultations, Representations and Planning Policy

Consultations

Transportation

Have no objections to the application.

Representations

The application was advertised on 12 November 2004.

Two letters of objection were received relating to the Mentone Avenue site. Both are in favour of the principles of recycling. The material concerns raised relate to:

- 1) parking problems and road safety issues,*
- 2) effect on the conservation area,*
- 3) visual amenity, and*
- 4) noise and disturbance.*

Other points raised are not material.

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

North East Edinburgh Local Plan- *The site is within the Portobello conservation area, where the protection and enhancement of the special character and appearance of the designated conservation areas will be protected. The site is also within an area allocated for Housing and Compatible Uses, where existing residential character and amenities are to be safeguarded.*

Relevant Policies:

Policy E18 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting a listed building and its setting, including alterations, extensions and changes of use.

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.

Policy E25 (DESIGN OF NEW DEVELOPMENT - OBJECTIVE): encourages new development of the highest possible standard.

Policy H7 (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 the reasonable prospects of further residential development where this is an objective of the Local Plan.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

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Conditions/Reasons associated with the Recommendation

Recommendation

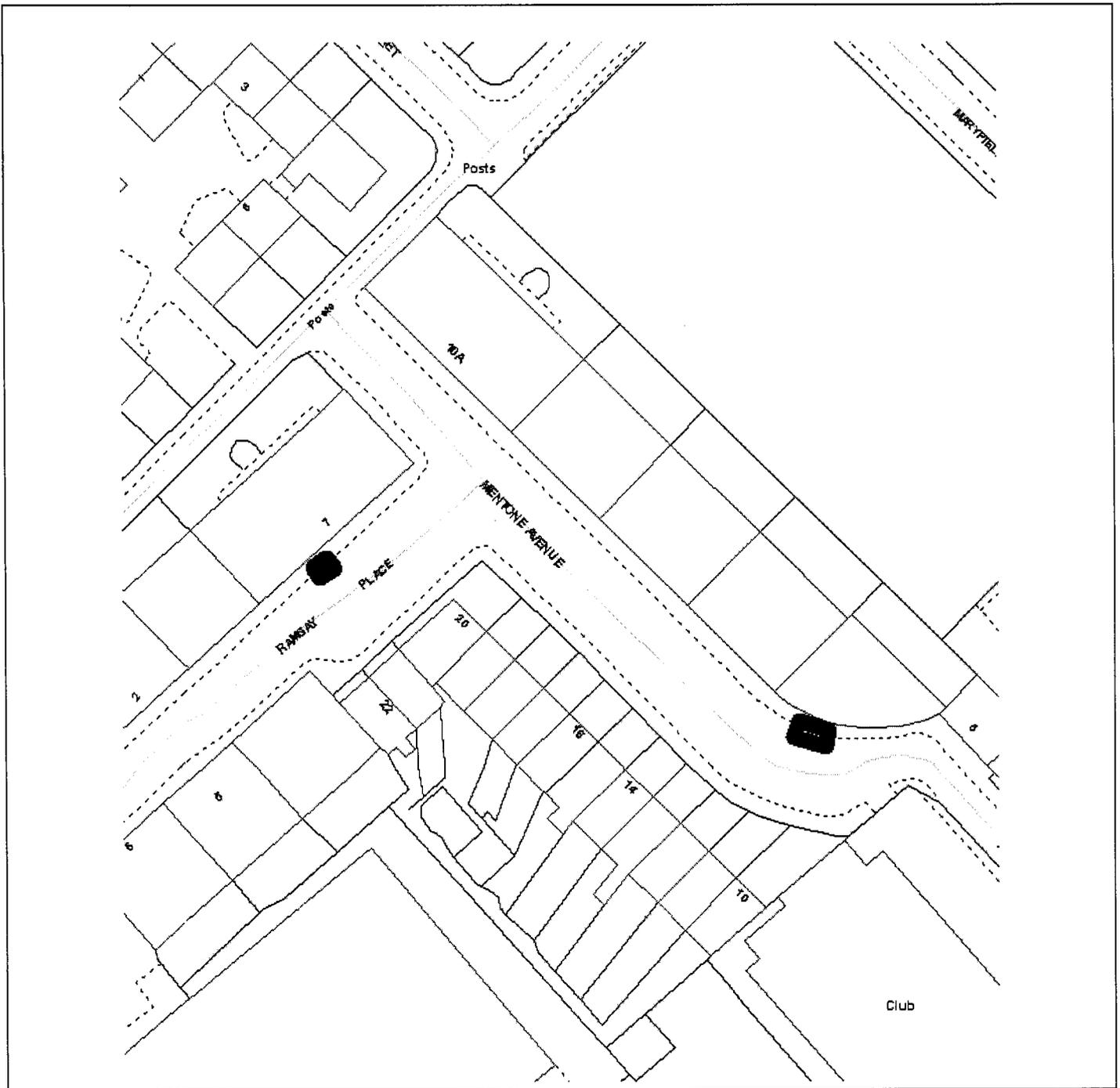
To recommend that this application be **Approved**.

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.



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PLANNING APPLICATION

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THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			