

**Application by City of Edinburgh Council  
06/02619/CEC**

at

**4 + 22 Elm Row**

**(Outside)**

**Edinburgh**

**EH7 4AA**

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

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**1 Purpose of report**

To consider application 06/02619/CEC, submitted by Ms Sutherland. The application is for: **Retain 2 waste containers**

It is recommended that this application be **APPROVED**

**2 The Site and the Proposal**

**Site description**

The application relates to sites on the carriageway on the east side of Elm Row and the west side of Windsor Street.

Both sites are adjacent to a number of Category A listed buildings.

This property is located within the New Town Conservation Area.

## **Site History**

A similar application for the erection of refuse containers on Elm Row/Leopald Place (Ref: 01/01588/CEC) was withdrawn in July 2001.

23/7/03 Consent granted to place three communal domestic refuse containers at Land adjacent to Elm Row and Windsor Street. Consent was granted for a period of three years to enable the proposal to be reassessed. The container on Windsor Street was granted permanent consent.

## **Description of the Proposal**

The proposal is for the retention of two 3,200 litre domestic waste containers on Elm Row. The containers are located on the public carriageway outside the following properties:

- Number 4 Elm Row
- Between number 18-19/20-22 Elm Row grouped with existing street furniture (post box and telephone booths);

The containers are 1.7m in length and height.

## **3 Officer's Assessment and Recommendations**

### **Determining Issues**

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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, are there any compelling reasons for approving them?

### **ASSESSMENT**

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

- a) Whether this is an acceptable location and type of street furniture, having a detrimental effect on the conservation area or setting of listed buildings;
- b) Whether the proposals will have any adverse effect on road safety.

a) 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, 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 allows the continued containerised service, in line with Council policy.

All bins including this planning submission, require planning permission since they are within the New Town Conservation Area (with an Article 4 Direction and Class 30 exemption).

The bins are modest in size allowing the adjoining buildings to remain the main focus. The bins will not detract from the setting of the listed buildings or the appearance of the conservation area.

b) In identifying the proposed locations, as part of the temporary consent, great care has been taken to balance the priorities of Transportation, Planning and Waste Management. Indeed, two highways technicians and two planning officers work full-time within the Containerisation Project Team to ensure the best possible sites were chosen. In moving towards a final choice all potential sites are subject to a Road Users Safety Audit. It is considered that the existing locations represent the best possible sites representing a balance of interests. The retention of these bins raises no new issues regarding road safety.

In conclusion, it is considered that the retention of communal refuse containers to this conservation area will help to preserve the appearance of the area through the removal of black sacks and the litter associated with their use.

It is recommended that the committee approves this application. As this is a Council development where there have been representations, it required to be referred to the First Minister.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

Contact/tel	Bruce Nicolson on 0131 529 3516
<b>Ward affected</b>	20 - Calton
<b>Local Plan</b>	Central Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Primary Shopping Frontage
<b>Date registered</b>	21 June 2006
<b>Drawing numbers/ Scheme</b>	1 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](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: [ian.dryden@edinburgh.gov.uk](mailto:ian.dryden@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 [gavin.king@edinburgh.gov.uk](mailto:gavin.king@edinburgh.gov.uk) or [carol.richardson@edinburgh.gov.uk](mailto:carol.richardson@edinburgh.gov.uk)

**Application Type** Application by City of Edinburgh Council  
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**Proposal:** Retain 2 waste containers

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## Consultations, Representations and Planning Policy

### Consultations

#### Historic Scotland

*Historic Scotland offers the following comment,*

*The proposal would see the retention of two existing communal refuse bins. The two sites, on Elm Row, are within the New Town Conservation Area and are adjacent to several category A listed buildings. They have been in position for a number of years and the permission would see them remaining in their current positions.*

*As these existing units are relatively small in scale compared with the surrounding buildings, the buildings will still remain as the main focus.*

*On a more general note, care should always be taken in the proposed positioning of communal bins, especially when they are in sensitive Conservation Areas and adjacent to listed buildings.*

### Representations

The application was advertised on the 28.7.06. Two letters of objection were received. The grounds of objection are summarised as follows:

- The proposals will adversely affect the appearance of the streetscape, taken account of in assessment (a).
- The proposals will exacerbated parking problems on the street, taken account of in assessment (b).
- Increase in litter, taken account of in assessment (a).

***Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.***

## **Planning Policy**

The site is identified as being within a Primary Shopping Frontage in the Central Edinburgh Local Plan.

### **Relevant Policies:**

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

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.

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**

It is recommended that this application be **APPROVED**

**INFORMATIVES**

It should be noted that:

1. This application shall be notified to Scottish Ministers as a Notification of Intention to Develop

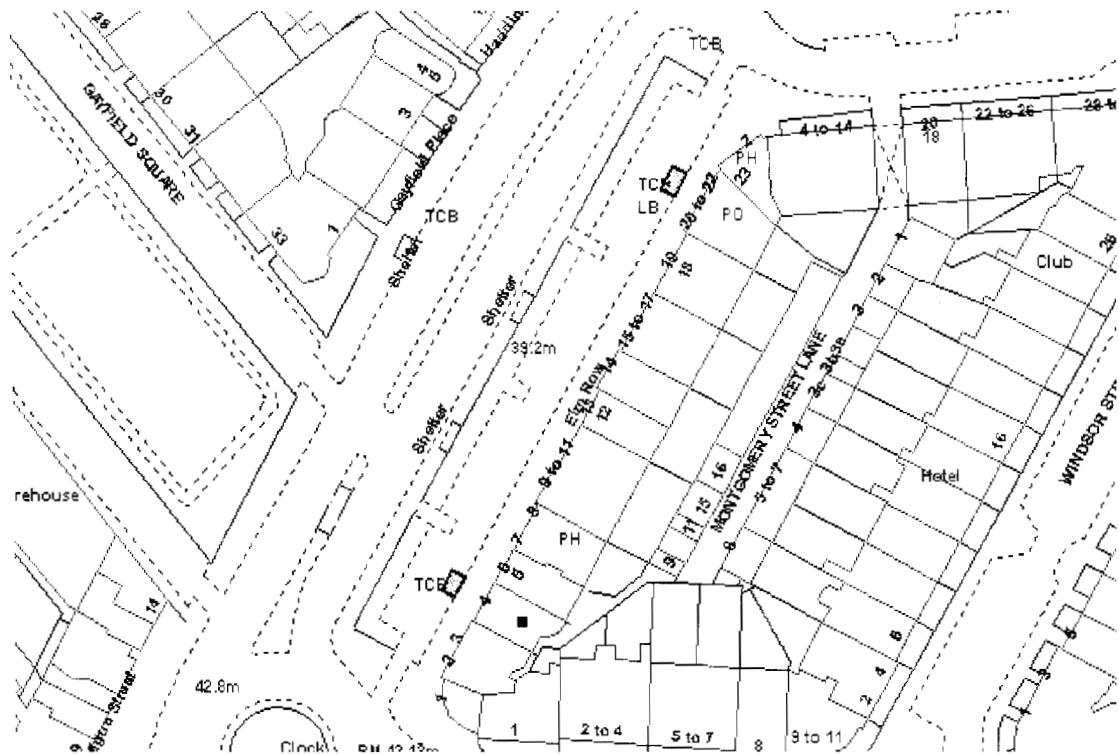
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## Location Plan

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