

Development Management Sub Committee

Wednesday 28 August 2013

**Application for Planning Permission 13/00645/FUL
At Royal Botanic Garden, 20A Inverleith Row, Edinburgh
Re-erection of Botanic Cottage, a two-storey 18th century
building on north edge of Botanic Gardens, re-using
salvaged materials to its previous design with single storey
connected outshots east and west of cottage behind flanking
walls.**

Item number	4.5
Report number	
Wards	A05 - Inverleith

Links

Policies and guidance for this application	LPC, CITD1, CITD3, CITE3, CITE4, CITE6, CITE9, CITE12, CITE15, NSG, NSLBCA, NSGD02, OTH, CRPINV,
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Executive summary

**Application for Planning Permission 13/00645/FUL
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Summary

The proposals comply with the development plan policies, preserve the character and appearance of the conservation area, have no adverse effect on the special character of the listed building or its setting, and have no detrimental impact on road safety. Residential amenity will not be adversely affected. There are no material considerations which outweigh this conclusion.

Recommendations

It is recommended that this application be Granted subject to the details below (in section 3 of the main report).

Financial impact

There are no financial implications to the Council.

Equalities impact

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

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

Consultation and engagement

Pre-Application Process

Pre-application discussions took place on this application.

Publicity summary of representations and Community Council comments

The application was advertised on the 22 March 2013. Eighteen letters of representation were received, (two of the letters were from the same representee). There were 16 objections and two letters of comment.

The letters of representation raised the following material issues:

- contravenes Inverleith Conservation Area Management Plan Location
- architectural form and positioning facing gardens
- proposed finishes not appropriate
- loss of residential amenity
- loss of green space
- loss of railings
- existing access gate
- parking worsened already shortage of spaces
- speeding cars causing hazards

The following non material comments were raised:

- maintenance of the Botanic Cottage garden
- loss of private view

An additional letter concerning an error in the site plan was received. The site plan has been amended with the correct street name.

A full assessment of representations can be found in the main report, in the assessment section.

Background reading / external references

- [To view details of the application go to](#)
- [Planning and Building Standards online services](#)

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1. Background

1.1 Site description

The application relates to the site occupied by the Royal Botanic Gardens (RBGE). The gardens are bounded to the north by Inverleith Place, to the south by Inverleith Terrace, to the west by Arboretum Place and to the east by Inverleith Row. The proposals relate specifically to the north part of the gardens in use as the Demonstration Garden, located on the boundary with Inverleith Place. This part of the garden is used by horticultural students from RBGE and contains planting beds, pathways, trees and shrubs. The Demonstration Garden is screened from the main part of the gardens by a 8m high beech hedge which forms a 160m long boundary to the south.

The boundary wall and railings around the garden site are category C listed. They were listed on 4 June 2003, (LB Ref 49217). Several buildings and structures are also individually listed within the curtilage of the RBGE site. Inverleith House dates from 1774, and is located in an elevated position within a central part of the gardens. The house is in use as an exhibition space. It is category B listed and was listed on 14 December 1970. (LB Ref 28081).

To the north of the site, there are substantial detached properties on Inverleith Place. Several of the properties are subdivided into upper and lower villas. The properties are not listed.

This property is located within the Inverleith Conservation Area.

1.2 Site History

March 2013- Listed Building consent granted to alter the boundary railings to create a new controlled pedestrian access gate to the new Botanic Cottage. (13/00423/LBC.)

Brief history of the Botanic Cottage

This small but historically significant building was originally sited at the entrance to Edinburgh Botanic Garden when the garden was situated on Leith Walk - from 1763 to 1820. The Leith Walk Botanic Garden was established by John Hope, the sixth Regius Keeper of the RGE. He commissioned the building of Botanic Cottage which provided accommodation for the gardeners and also a lecture theatre. By later years of the 20th century, the cottage had fallen into disrepair and was under threat from a major development project.

An early 1990s proposal to erect an office block on the site was refused on the grounds that it would result in the loss of the original cottage. In 1998, a modified proposal was granted.

In April 2007, with the imminent demolition of the cottage, a working group was set up. Its aim was to raise funds to commission a detailed survey of the property with a view to its careful de-construction and re-building on another site.

The cottage was dismantled in 2008 and the original stone and timber materials are currently stored within the Royal Botanic Garden Nursery Garden.

Further details of the historical background of the project are set out in the Design and Access Statement.

2. Main report

2.1 Description Of The Proposal

It is proposed to rebuild the Botanic Cottage within the existing Demonstration Garden.

The proposal to rebuild the Botanic Cottage will provide an all weather hub for learning and provide a base for horticultural education for schools and community gardening projects. The principal focus is hands-on learning, where children learn the basics of horticulture using their own plots. The lack of a dedicated facility limits the number of groups the existing facilities RGE can currently cater for, especially during adverse weather. The cottage will enable 90 more schools every year to access hands on learning about horticulture and healthy living and provide a new community and visitor venue for exhibitions and events. The rebuild project will also incorporate an apprentice programme teaching traditional building and craft skills, boosting the employability and skill sets of up to 40 young people.

The proposal does not change the use of the land as the building is ancillary to the garden.

The rebuilt cottage will be reconstructed to its original design as far as possible, using the salvaged materials stored within the RGE nursery site. The external walls of the 2 storey building will be harled and limewashed masonry, with sash and case windows and panelled doors in the salvaged openings. The roof will be Scots slates in diminishing courses. The ancillary single storey outshots will form the new build elements to the east and west and will be set behind flanking walls providing the new wings to the cottage. The new connected wings will have pitched pantile roofs. The

small covered courtyards within the cottage site will have low flat roofs and large rooflights to allow all weather teaching.

In addition to the rebuild element, it is proposed to alter the boundary railings to create a new pedestrian access gate for the Botanic Cottage. The proposal will create a cast iron gate opening that re-uses the temporarily removed railings and matches the existing spear-headed cast iron railing design. A new dropped kerb will provide level access for wheelchairs for accessibility. The main access to the cottage will remain via the John Hope Gateway on Arboreteum Place. The proposed new gate to the cottage will allow controlled access to the building when the gardens are not open to the general public. The existing North gate, further east to the proposed gate to Botanic Cottage, does not provide this direct access.

It is proposed to remove 2 small trees within the planting bed adjacent to the boundary with Inverleith Place to facilitate the rebuilding of the cottage. The 2 larger Scots pine trees and 3 smaller trees will be retained.

Supporting Statements

The agent has provided a Design and Access Statement as part of the submission documents. Supporting information has also been provided by the RBGE in a letter dated 10 April 2013. These documents are available to view on the Planning and Building Standards Online Services.

2.2 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 consent.

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 consent. For the purposes of this issue, preserve, in relation to the 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?

2.3 Assessment

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

- a) the proposed use is acceptable in this location;
- b) the proposals have an adverse impact on the listed building or its setting;

- c) the proposals have an adverse impact on the character or appearance of the conservation area;
- d) the design and materials are of appropriate quality;
- e) there is any adverse impact on residential amenity;
- f) there is any impact on road safety;
- g) there will be any adverse impact on trees;
- h) any impacts on equalities or human rights are acceptable; and
- i) comments raised have been addressed.

a) The acceptability of the proposed use in this location.

The introduction of an educational facility to this part of the RGBE site will be ancillary to the main use of the gardens and is acceptable in principle. This part of the gardens already provides educational space for the horticultural students. The proposed rebuilding of the Botanic Cottage will not result in the introduction of any inappropriate uses in this area.

b) Impact on the listed building or its setting

The proposed building requires to be assessed in terms of its impact on Inverleith House as well as on the existing buildings on the site and the railings around the gardens.

A combination of factors will ensure that the building will have little impact on the setting of Inverleith House. The topography is such that the positioning of Inverleith House is in an elevated location within the gardens. When the screening effect of the existing trees, 8m high Beech hedge and the distance between the two buildings is taken into account, it is clear that the new building will only offer glimpses from in and around Inverleith House, ensuring its setting is not compromised in any way.

The application proposes the removal of a section of the railings to create a new controlled access gate. Listed building consent was granted in March 2013 for this alteration. The proposed gate opening will re-use the temporarily removed railings and will match the existing spear-headed cast-iron railing design and will incorporate a small RGBE crest indicating this new access point. The removal of the railings and creation of new entrance gates will preserve much of the original fabric and is justified in this case.

c) Impact on Character and Appearance of the Conservation Area.

The Inverleith Conservation Area Character Appraisal identifies the essential character of the area as being:

‘layered with playing fields, a public park and the Royal Botanic Gardens. This substantial amount of open space allows panoramic views across the city. The architectural character is dominated by rows of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private

open space. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads'.

This part of the garden is visible from Inverleith Place which is characterised by substantial stone built villas set in mature garden grounds. The existing Demonstration Garden is of limited quality in relation to the wider gardens. The rebuilt Botanic Cottage is carefully designed to minimise its visual impact on the conservation area. It will present a high quality, well designed reconstruction of an historic structure that mixes the original salvaged materials with contemporary features such as shallow curved rooflights providing light into the spaces below and solar panels. This more modern roof over the courtyard will not also project above the stone flanking walls.

The rebuilt Botanic Cottage will preserve the character and appearance of the conservation area.

In assessing the site options available for the siting of the cottage, the decision to select the proposed location was influenced by the historic orientation and original setting of the building. It is the RBGE's aspiration to rejuvenate this part of the garden for educational purposes and to utilise part of the garden for 'hands on' learning and participation. Although several other sites were considered, they did not offer the opportunity for such a positive contribution to an area of the garden that is currently underutilised as a public facility.

d) Quality of Design and Materials.

The cottage has been arranged so that it effectively has two fronts and two approaches. The original south facing elevation of the cottage will be orientated towards the garden as this will be the most used approach and in a similar orientation to the original. However, the design also considered that an axial approach from Inverleith Place with some subtle decoration on the gate to raise its status above that of 'utility', would be appropriate and in keeping with the form and architectural character of the cottage. The exterior finishes will be as true to the original design as possible with the masonry walls harled and limewashed. The agent has provided other photographic examples of limewashed/rendered buildings in the area, for example on Inverleith Place and Inverleith Place Lane and examples elsewhere of this finish. The single storey flanking elements will have soft red brick walls with lime mortar. The roofs of the outshots will be salvaged clay pantiles with conservation roof lights and solar panels and has been designed not to project above the stone flanking walls. There is evidence of the use of clay pantiles in the original building accounts. A small building within the adjacent Queen Mother's Memorial Garden is also provided as an appropriate example of the use of clay pantiles.

The design and materials are acceptable.

e) Impact on Residential Amenity.

The cottage will be set approximately 40m from the front elevation of the nearest houses across the street in Inverleith Place. It will be further screened by a 3m high beech hedge and railings which surrounds the RBGE site. The building is set back from the existing railings a similar distance to that of the surrounding houses and will also be partially screened by the existing trees. The proposed development complies with policy and will not adversely impact on privacy to neighbouring residential properties.

The proposed building will be utilised for educational purposes and is ancillary to the main use of the site. The cottage will mainly be used during daytime hours by visiting school parties but with some evening lectures. The agent has confirmed that the RBGE expect the Botanic Cottage to be operational from 10am to 4pm (winter) and 10am to 6pm (summer), with occasional evening opening until 9.30 or 10pm. The RBGE have stated they are committed to being a good neighbour and aim to liaise more closely with local residents. There are existing facilities elsewhere within the RBGE site that provide facilities for weddings and events. It is not the intention of the RBGE to extend this provision within the Botanic Cottage building. Environmental Assessment has requested hours of operation to be restricted from 0700 to 2300 hours, however this condition is not necessary given the ancillary nature of the use.

The inclusion of a new access gate is intended to serve the cottage only. It is anticipated this entrance will be used infrequently and will not be a main entry/exit point the gardens.

Neighbouring residential amenity will not be adversely affected.

f) Impact on Road Safety.

The agent has confirmed that the new dropped kerb is intended for accessibility reasons for disabled and impaired building users. It is not intended to be a vehicular access point into the site. It is proposed that visitors will use the main entrance at the John Hope Gateway on Arboretum Place which has facilities for dropping off visitors who will then walk through the gardens to this area. The school pick-up and drop off point will also remain at the John Hope Gateway and will include school trips that may arrive before 10am. Coaches will also park on Arboretum Place. The creation of the Botanic Cottage facility will not alter this current arrangement, set in place by RBGE for visiting schools.

The proposed new gate will allow controlled access to the building when the gardens are not open to the public. The existing North gate located in the existing Northeast corner of the Demonstration Garden was deemed inadequate for these functions, as it does not give direct access to the cottage. The North gate, further east to the proposed gate to Botanic Cottage does not provide this direct access and would mean that additional provision for security and considered lighting would extend to this North gate entry point rather than localised to the building. This would also limit lighting intrusion in the garden.

Section 4.0 of the Design and Access statement provides further details of the access arrangements for the site.

Inverleith Place is in Control Zone N2 and the hours of operation are 8.30am to 5.30pm on Mondays to Fridays. There is a long bay of ticket parking available on the RBGE side (south side) with a maximum stay of 2 hours. On the residential (north) side there are several intermittent spaces shared between ticket and permit (residents) holders, with the same hours of operation. Parking is normally available during the controlled hours but at weekends it is recognised that the street can be busy with RBGE visitors and people using Inverleith Park.

Transport Planning has raised no objections to the proposal and to the proposed gate and does not anticipate any adverse impact on traffic levels, speed and road safety.

g) Impact on trees.

The removal of the smaller trees within the planting bed is unfortunate but not of significant landscape concern given the extent of other trees in the grounds and in particular the proposed retention of the 2 larger trees along the boundary with Inverleith Place. Although it is proposed that no significant trees are lost in terms of the proposed development, there is potential for damage to the existing protected trees due to their proximity to the development. On the site plan, the closer of the large pine trees is approximately 9m metres from the proposed building. The crown is approximately 3 metres from the building. Although this is closer than would be considered desirable for a residential property but, for the purposes of this building, this is acceptable provided an adequate tree protection plan is implemented.

h) Impact on Equalities and Human Rights

The proposed cottage provides equal access to all parts of the building through the provision of a lift and ramps.

The application was assessed in terms of equalities and human rights. No impact was identified. An Equalities and Rights Impact Assessment summary is available to view on Planning and Building Standards online services.

i) Public Comments.

Material representations:

- contravenes Inverleith Conservation Area Management Plan. This is addressed in section a). The purpose of the management plan is to support the character appraisal.
- location - this is addressed in section c)
- proposed architectural form and finishes - this addressed in section d)
- loss of residential amenity - this is addressed in section e)
- loss of green space - this is addressed in section d)
- loss of railings - this is addressed in sections b) and c)
- existing access gate - this is addressed in section f)
- parking worsened already shortage of spaces - this is addressed in section f)
- speeding cars causing hazards - this is addressed in section f)
- increase in noise from evening events - this is addressed in section e).

3. Recommendations

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

3.2 Conditions/reasons

1. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning and Building Standards before work is commenced on site; Note: samples of the materials may be required.

3. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with clause 2 of BS5837: 2005 " Trees in relation to construction", or similar as approved in writing by the Head of Planning, at the limit of the canopy spread of the trees; no materials, equipment or buildings shall be stored or located within the protected area, nor shall there be any access through it. The fencing shall be maintained in a secure and upright condition to the satisfaction of the Head of Planning and Building Standards.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.

2. In order to enable the Head of Planning & Building Standards to consider this/these matter/s in detail.

3. In order to safeguard protected trees.

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.

Statutory Development

Plan Provision

The site is located within the Urban Area as identified in the Edinburgh City Local Plan. The Royal Botanic Garden Edinburgh site is also designated a Local Nature Conservation Site.

The site is outwith the site boundary recorded in the Inventory of Historic Gardens & Designed Landscapes.

Date registered 5 March 2013

Drawing numbers/Scheme 1-6, 7A, 8-11.,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

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 Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

Other Relevant policy guidance

The Inverleith Conservation Area Character Appraisal emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.

Appendix 1

Consultations

ENVIRONMENTAL ASSESSMENT

The application proposes to erect a new cottage within the grounds of an existing botanical garden. The site lies adjacent to Inverleith Place which bounds the site to the north. Residential properties are situated across Inverleith Place to the north.

The agent for the application has advised that the proposed building will be utilised for educational purposes with the first floor room used for teaching and display. It is likely that the premises will mainly be used during daytime hours however intermittent evening lectures may occur with food and drinks provided for those in attendance. In this respect, the agent has confirmed that the events are unlikely to occur any later than 10pm at night.

The Planner has confirmed that the premises are deemed ancillary to the main use and therefore without further planning consent being required, the operator is within their rights to utilise the premises in other ways within Use Class 11. Therefore, there is the potential for the premises to be utilised in a manner which could cause considerable noise and disturbance should the operators choose to use the venue for other types of events or functions.

Events and functions can cause additional road traffic with associated noise and disturbance within the local area should they continue later into the evening or night. Entry to the property for such events is likely to be off Inverleith Place which quiets later into the evening and night. The Council is in receipt of noise complaints from people exiting onto Inverleith Row when leaving functions already being held within the botanical gardens. Such events tend to be from wedding receptions being held within the botanical gardens and can continue until 1am. Therefore, in terms of this application, it is recommended that the hours of operation of the premises be restricted to 11pm to ensure that localised residential amenity is protected from noise and disturbance. A condition is recommended below to that effect.

A kitchen is proposed which the agent has confirmed will be used by visiting school classes during the day at breaktime and lunchtime. The kitchen may also be utilised to supply catering for lectures but this is not anticipated to include any level of intensified cooking which could cause odours to affect nearby residential properties. The nearest residential properties are around 25 metres away across Inverleith Place which should ensure that any cooking odours that do stem from the application premises have dispersed prior to reaching those properties.

Therefore, Environmental Assessment has no objections to this proposed development subject to the following condition:

Hours of operation of the premises be restricted to 0700 to 2300 hours daily

TRANSPORTATION

No objections

ARCHAEOLOGY

Further to your consultation request I would like to make the following comments and recommendations in respect to this application to re-erect Botanic Cottage, an 18th century two-storey building on the north edge of Botanic Gardens, re-using salvaged materials to its previous design with single storey connected outshots east & west of cottage behind flanking walls.

This application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

I fully support the re-erection of the Botanic Cottage on this site as it will not only reconnect the current Botanic Gardens with one of the last surviving elements from its original site but will allow for the important conservation of the remains of this nationally important building.

In terms of impact the construction of this new building within the historic grounds of Inverleith House may disturb remains not only associated with this historic estate but also the later use of the site as part of the Botanic Gardens. Any such impact is considered to be low-moderate but will nevertheless require archaeological mitigation in the form of archaeological excavation, reporting and analysis, prior to / during construction. In addition it is considered essential that the conservation strategy and mitigation results undertaken as part of the rebuilding of this building are written up as part of the archaeological historic building recording publication requirements undertaken during its demolition by Addyman Archaeology.

Accordingly it is essential that the following condition is attached to this consent to ensure that undertaking of this programme of archaeological works.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

POLICE SCOTLAND

It is appreciated that this is a re-erection of the Botanic Cottage using reclaimed materials, with additional facilities. It is unknown how the facility will be used and if all

the gates will be opened allowing free public access around the building when the gardens are opened to the public.

Depending on the technology being employed for the teaching facility, this could make the premises vulnerable to thieves.

There is also a platform lift that is accessible from the building line, which again makes this particular facility vulnerable to misuse and being tampered with also leading to a flat roofed area and potentially gives easy access, the entry into the lift should be reviewed to see if access should be facilitated via the building or additional security should be employed to ensure there is no unwanted access. If this lift is tampered with, it could impact on use and access into the building.

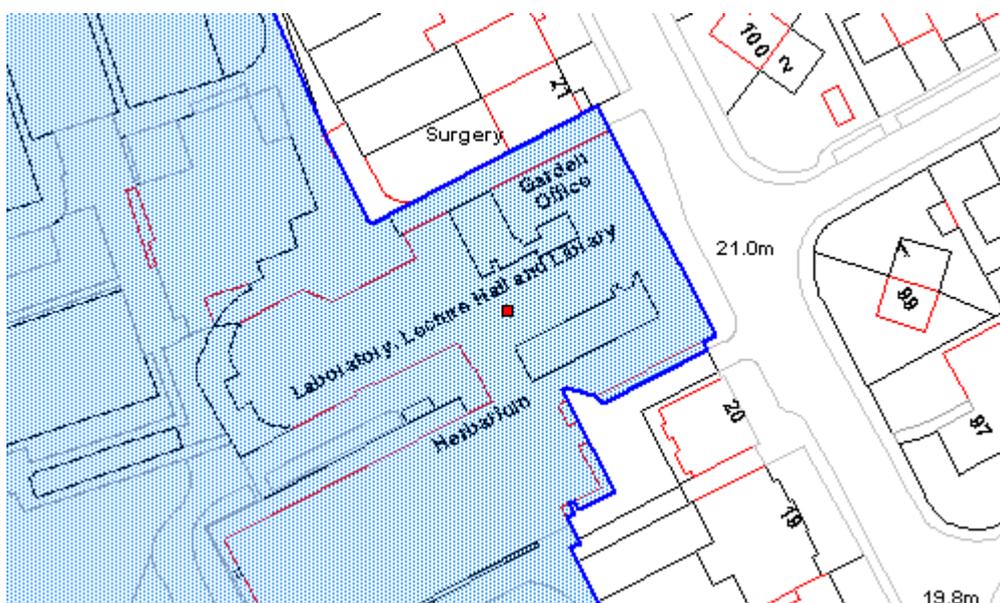
Where possible the premises should use impact tested laminate glass at ground floor, accessible windows and rooflights that can be reached from the flat roofed areas to give extra resilience when persons try to 'break the glass'.

Entry doors need to reach at least the PAS 24 standard, preferably a higher LPS 1175 standard (LPS 1175 SR 3) as there are numerous doors giving access into the building, ideally access points would be reduced to ensure that staff and users ensure that there is good natural surveillance of those using the facility.

The building should have a monitored/confirmed alarm, which can be linked to police response (staff levels permitting).

It is recommended that there is police consultation in regard to this development

Location Plan



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