

**Application by City of Edinburgh Council
at
Land At 2 Gardner's Crescent
EH3 8BZ**

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

Proposal: Place communal domestic refuse containers
Applicant: The City Of Edinburgh Council.
Reference No: 03/02597/CEC

1 Purpose of report

To recommend that the application be **APPROVED**

Conditions

1. Permission is granted for a limited period of three years.
2. The application shall be referred to the Scottish Ministers prior to determination.

Reasons

1. In order to assess the impact of the development over a trial period.
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 the north end of Gardner's Crescent, close to the junction with Morrison Street. This is the straight section of road which is in part a bridge over the West Approach Road. Nearby properties are residential four storey Georgian Tenements.

Numbers 1 to 25 Gardner's Crescent are all category A listed buildings. The site is within the West End Conservation Area.

Site history

01/00445/CEC - Application withdrawn for the fixing of two 3200 litre communal refuse containers (as amended) on 11/07/03.

Related application on nearby site, Morrison Street
03/01508/CEC - Place communal domestic refuse containers adjacent To Pavement, 85 Morrison Street. Application pending consideration.

Development

The proposal is for the installation of two 2400 litre OMB type refuse containers on the carriageway, to the front of 2 and 4 Gardner's Crescent. These will be black with warning markings, and will have the usual road markings to delineate their position, with Keep Clear marked on the carriageway side. This size of container is not fixed, but is considered to be static.

The Director of Environmental and Consumer Services has submitted the standard supporting statement for these proposals. This will be made available in the party group rooms.

This application follows on from the previous submission which went through three revisions before being withdrawn. These were as follows;

Scheme 1 was initially for eight containers at the north (Morrison Street) end of Gardner's Crescent. There was one group of three containers on the west side of the street, against the parapet of the bridge; two pairs of containers on the east side in front of 1 to 4 Gardner's Crescent; and a single container on the crescent itself in front of 7 Gardner's Crescent. These containers were all road mounted, and the black 1280 litre size.

Scheme 2 then reduced the number of containers to four 3200 litre non fixed containers, located on the road adjacent to 1 to 4 Gardeners Crescent (the straight northern section).

Scheme 3 further reduced the number to two 3200 litre OMB containers, outside 2 and 4 Gardener's Crescent, on the carriageway (locations 1 and 2). The other containers have been incorporated into another application for containers on Morrison Street (03/01508/CEC).

The application was then withdrawn in order to submit a new application, as the proposals had substantially changed.

Consultations

Historic Scotland

The Historic Buildings Inspectorate has raised serious concerns about proposals for the siting of refuse containers within the category A listed crescent before (see letter of 15/05/01).

The Inspectorate understands that the present proposal differs from that which prompted its earlier comments in that there are to be no containers located within the curved section of the crescent and that a smaller number of larger containers will sit in front of its straight northern termination. This is undoubtedly an improvement. Nevertheless, the Inspectorate remains deeply concerned about the visual impact of such containerisation proposals upon the townscape quality of the city, especially where containers will sit within conservation areas or adjacent to listed buildings or, as in this instance, both, and hopes that other, less obtrusive methods of dealing with refuse collection will be investigated and receive serious consideration by your Council.

The historic built environment of the city is of a quality, which requires all parties, charged with its safekeeping to make determined efforts to protect and enhance it.

The Inspectorate accepts the revised containerisation proposals for the crescent on the understanding that such efforts will continue to be made.

Representations

The application was advertised on 15/08/03. Three letters of representation have been received from residential neighbours. The issues raised are

1. Pavement is narrow and so bins are close to flats, loss of amenity
2. Bins should be across road
3. Smell nuisance
4. Reduce parking

Policy

The site is identified by the CENTRAL EDINBURGH LOCAL PLAN as being within the Mixed Activities Zone.

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 CD18 (SAFETY, SUSTAINABILITY AND ACCESSIBILITY) requires the design and layout of development proposals to meet safety, sustainability and accessibility objectives.

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.

Policy T10 (PEDESTRIAN ENVIRONMENT) sets out the Council's objectives for improving the pedestrian environment of the city centre and other main areas of pedestrian congregation

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are;

- do the proposals 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;

- do the proposals preserve the building or its setting or any features of special architectural or historic interest? If they do 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 the determining issues, the Committee needs to take account of the following specific considerations:

- a. will the proposals have any adverse effect on the setting of the adjacent A listed buildings?

- b. will the proposals have any adverse effect on the character and appearance of the conservation area, or the World Heritage site?

c. will the proposals have any adverse effect on residential amenity?

d. will the proposals have any adverse effect on road safety or on street parking?

a. The two containers are located directly in front of category A listed buildings, and Historic Scotland have raised concerns about this. The proposals are, however, improved over the initial submission for 8 smaller fixed containers. Subject to the Council continuing to revise methods of refuse collection, the Inspectorate have no objection.

Within the World Heritage Site, the location of containers on the carriageway adjacent to listed buildings will only be acceptable if there is no adverse impact on their setting or appearance. The containers are on the carriageway, not the footpath, and so there is some set back, and there are normally vehicles parked here for the majority of the day. The effect on the setting is considered to be minimal, and is not permanent and is easily reversible.

b. The conservation area's character is summarised in the local plan as follows; *'A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors.'*

It is considered that the containers will have minimal adverse impact on the conservation area and World Heritage Site. The containers are set within parked cars on street and any impact is outweighed by the benefits of containerising the refuse in favour of refuse sacks which are easily torn allowing the streets to become littered and unsanitary. As stated above the proposals are easily reversible, and are not necessarily permanent in the long term.

c. In the guidelines for containerisation it is advised that 'Where domestic containers are sited in front of properties, they should, wherever possible, be sited on the division between properties'. This has been done, with container 1 being placed by the door to number 2 Gardner's Crescent, and container 2 being at the division between 4 and 5 Gardner's Crescent. The containers will therefore not be directly visible outside windows to habitable rooms. The containers also reduce the possibility of household waste spilling onto the pavement through ruptured refuse sacks left on the pavement.

d. In terms of road safety, the containers are not in a position to block any sightlines, and they do not obscure any pedestrian crossings.

The proposals will not result in the loss of any on street parking bays. In both cases the existing parking bays will have to be moved a very short distance to accommodate the containers.

In conclusion, the extension of the containerisation programme into the World Heritage Site, in close proximity to A listed buildings should be permitted on a temporary basis, with a view to a more sensitive scheme being investigated for such locations. Therefore a temporary consent for three years is recommended. A temporary consent is considered appropriate as these are removable containers which can easily be uplifted.

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


pp **Alan Henderson**
Head of Planning and Strategy

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Ward affected 30 -Dalry

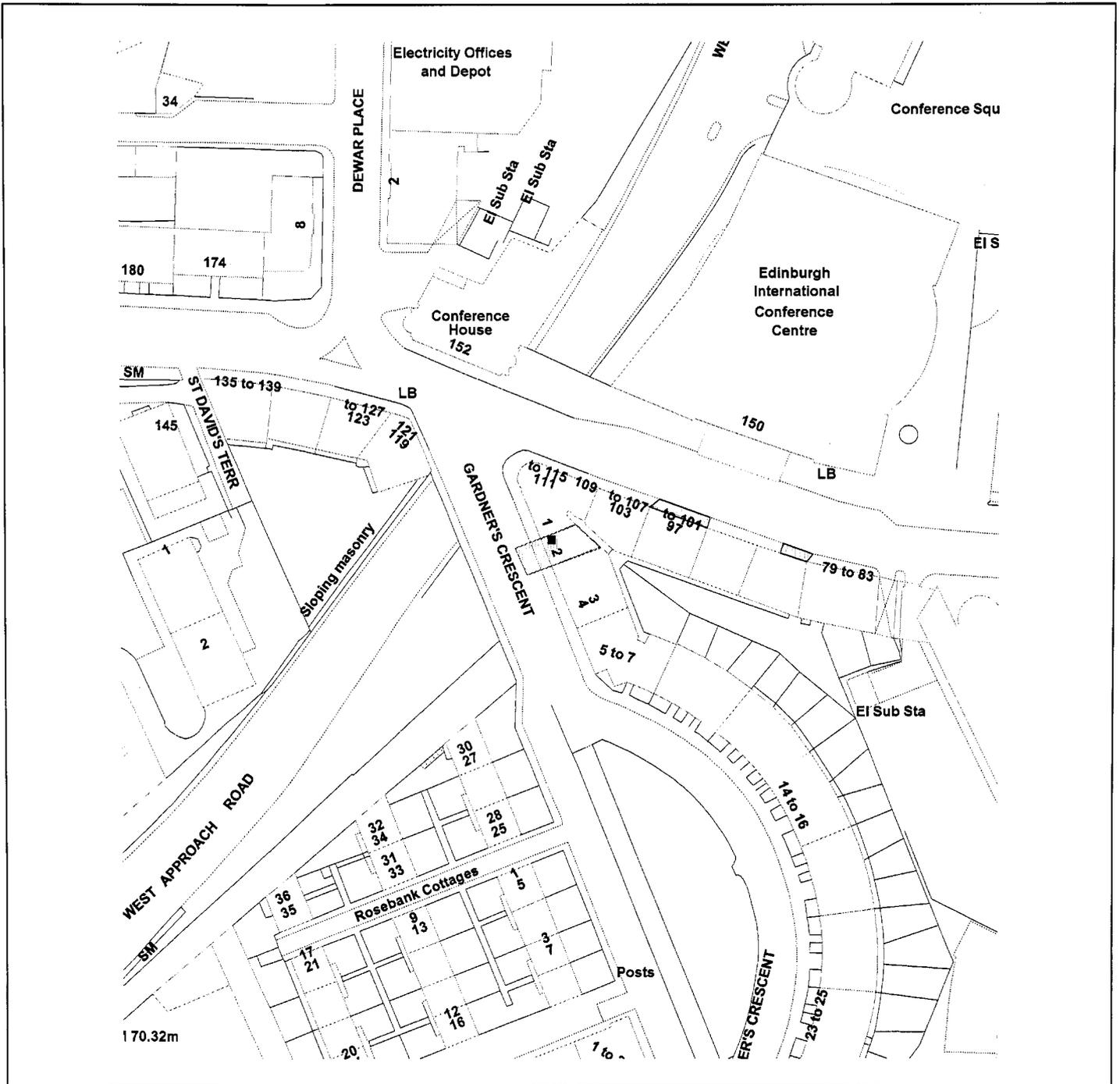
Local Plan Central Edinburgh

**Statutory Development
Plan Provision** Mixed Activities

File -

Date registered 5 August 2003

**Drawing numbers/
Scheme** 01-3
Scheme 1



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PLANNING APPLICATION

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