

## Firrhill Community Council

*'Nec Aspera Terrent'*

(Undaunted by Adversity)

Minute of the Meeting held on Monday 27 October 2014

At Lochan View Community Business Centre, 12 Firrhill Neuk

### Attendance and Apologies:

**Members:** F Gosney; J Burt; G Duncan; P Wright; H Levy; J Napier.

**Ex-officio Members:** Cllr Aitken; K Welsh and E Bain, Oxfangs Police Stn.

**Resident Visitors:** S Duffy; C Harvey; W Allan.

**Apologies:** L Linn; N Peachey; P Valentine; Cllr Rust; Cllr R Lewis; R Kelk; L Turnbull.

H Levy, in the Chair, welcomed the new visitors to the meeting.

### Minutes of Previous Meeting:

The draft minutes for meeting held on 22 August 2014 were reviewed. There being no corrections the minutes were moved for approval by CH, seconded by GD and agreed.

### Matters Arising:

#### **Identification of New Recycling Points in the Firrhill area**

This concerns Edinburgh's *Waste and Recycling Strategy* and more specifically the work being done to increase access to recycling services. Cllr Aitken reported she had been informed that as this was a work in progress it would be some time before detailed information was available. Members agreed the matter be removed from the agenda until such time as information becomes available.

**Action: none**

#### **Planning Application 14/02760/FUL**

This concerns the planning application for a hot food take-away at No. 76 Colinton Mains Drive. The application was granted by the Planning Committee at its meeting on 22 October 2014.<sup>1</sup>

Residents were concerned about the removal of a separating wall and asked for assurances it was not a load-bearing wall. Cllr Rust has raised it with Building Control and is waiting for confirmation.

**Action: Cllr Rust**

#### **Flooding at Colinton Mains Drive**

This relates to complaints about flooding in the area of the pedestrian crossing near its junction with Colinton Mains Terrace. The foundations of the houses in the immediate area suffer from constant dampness. Cllr Aitken has been advised that the department is aware of the problem and are considering two options which might help relieve the problem. In discussion it was asked if the

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<sup>1</sup> See under Planning Report for further information on the planning application

Community Council could obtain a copy of any relevant reports on this matter in order to get a better understanding of the problems and possible solutions.

***Action: Cllr Aitken to ascertain if there are any departmental reports relating to this matter and if so to obtain copies for the Community Council***

## Police Report

Chair welcomed PCs Welsh and Bain to the meeting and invited them to give their report. No written report provided for the minutes

## Incidents of Note

Following our last meeting, the Secretary had written to Sgt MacKenzie regarding the incidents at the Colinton Mains Convenience Store and at Colinton Mains Terrace seeking an update. Concern was raised that there had been several incidents at the Store the last one escalating to an assault on the staff. There had been no acknowledgement or response to the request.

***Action: PC Welsh to follow up***

## Community Policing Team

Should you wish to contact the Community Policing Team, you can do so by email at [EdinburghPentlandHillsCPT@Scotland.pnn.police.uk](mailto:EdinburghPentlandHillsCPT@Scotland.pnn.police.uk) or by telephoning the new national non-emergency number **101**. You can also follow them on twitter @PentlandsPolice .

If there is anything in particular that you wish to bring to their attention, please get in touch. Partnership working requires participation.

*Warning about doorstep callers: don't sign up with, or give money to, anyone who cold-calls, i.e., anyone you haven't arranged to call. Say NO and report them to Police Scotland Tel: 101 or the City Council's Trading Standards Tel: 0131-529 3030.*

*To pass on information about crime anonymously, call Crimestoppers on 0800 555 111 or fill out their secure, encrypted online [Giving Information Form](#).*

The Police Officers left the meeting after a general discussion on items raised in their report.

(Note: written details of their report were to be forwarded later but have not been forthcoming.)

## Ward Councillor's Report:

### Councillor Aitken

Complaints about refuse collections are still being received but problems seem to be limited to a few hot-spots where the problems are re-occurring.

Received a number of complaints about the standard of grass cutting and have passed this on to the appropriate departments. This is of some concern as it appears this may be one of the services cut back in the next budget review.

The condition of the Young People's Centre in Oxfords Avenue is under discussion with a view to a rebuild on the same site.

The Oxfords Care Annual General Meeting will be held here on the 19<sup>th</sup> November; all are invited.

Pentland Primary School: parking is still causing problems, with parents dropping and picking up their children from the school. The City Council is now looking at alternative methods of controlling

this problem and may go down the route taken at Haddington where a street leading to a primary school was closed off to traffic.

A reminder that the Community Safety Sub Group is meeting on the 3<sup>rd</sup> November, and provides an opportunity to raise any new issues or revisit any old issues that come under the community safety remit.

J Burt raised an issue concerning a broken stair window at 2/4 Oxbgangs Street. The broken glass from the window is a potential hazard and a repair is required.

**Action: Cllr Aitken.**

### Councillor Rust

- a) Chaired the AGM at ONC;
- b) Raised questions at Council re fall-out at Transport Edinburgh;
- c) Following up P Wright's complaint about there being no seat in the bus shelter on Colinton Mains Drive (near back of Scotmid).

## PNP Reports

### PNP Public Meeting – 30<sup>th</sup> September

No attendance, information reported was extracted from business papers.

#### **Pentlands Neighbourhood Partnership Annual Review**

The Convenor gave a review of Partnership activity over the last three years; this was followed by Christine Doherty who gave an update on the renewal of the Local Community Plan.

There was a general discussion about developing the new Local Community Plan.

It was noted there has not been a representative from EVOC attending for some time and it was questioned why, especially given the increasing role of the third sector across the city. It was also noted that the involvement of the Police is very good but intermittent.

The responsibility for providing the action groups with performance information, as well as training for community reps so they can make use of it will lie with the Partnership Development Officers.

There was general agreement that milestones need to be appropriate, expected action and completion dates need to be realistic, and that the framework is focused on improving the correct processes, otherwise it will achieve very little.

#### **Public Questions**

Q1: reporting and photographing graffiti?

Reports and photographs can be forwarded to the police and the local environmental wardens and residents should continue to do so even if they do not receive an acknowledgement.

Q2: Have Virgin Media agreed to clean their cable exchange cabinets? Under discussion.

Q3: When is the next grass cut planned?

The local Task Force Grounds Maintenance Team had started the grass cutting season 30% under its established manpower level due to a delay in receiving recruitment authorisation. There has been an agreement to backfill some of the vacant posts on a temporary basis with agency staff until recruitment is complete. Hopefully this would go some way to getting the required frequency of grass cutting back on track. NT commented that this issue was addressed at the last Environment and Transport Sub-group meeting.

## PNP Funding Panel – 15<sup>th</sup> October

No details available.

## Members Reports

### Planning Report: (JN)

A copy of the Planning Report presented at the meeting is attached as [appendix 1](#).

### **Planning Application 14/02760/FUL**

This was an application for an amendment to the conditions applied to this property when a change of use to a hot food take-away was permitted in 2009. It was submitted following the refusal of a previous application in June 2014. The application was supported by a petition but objected to by 15 of the applicant's neighbours.

The condition applied to the change of use permitted in 2009 was that the operating hours should be restricted from 0800 to 1800 (day time use only). A modified permission has now been granted to extend this to 2100 hours.

Following the initial refusal the applicant and the neighbouring residents attended our July meeting to express their views and these are recorded in the minutes of that meeting. I submitted a comment which I hope reflected the Community Council's views. The comment can be read on the CEC *Planning Portal* website along with the other papers involved in this application. I also attended the Development Management Sub Committee meeting on the 22<sup>nd</sup> October where the decision was made.

In reviewing the details of this case, as known, Community Council members expressed their dissatisfaction at the planning process. The original application submitted in April, was **refused** as *'the proposals do not comply with the development plan and relevant non statutory guidelines and there is a significant impact on character and neighbouring residential amenity.'* This was in June.

In July, the same application was re-submitted with a reduction of one hour from 2300 to 2200. In October, the application is **granted** as the *'proposal, (modified by a further reduction of one hour to 2100 hours) complies with the development plan and relevant non-statutory guidelines and there is no significant impact on the character of the area and neighbouring residential amenity.'*

There is apparently no provision for objectors to appeal those matters. Where a planning application is granted it cannot be appealed. Where it is refused, the applicant can simply re-submit the application until such time as they get a foot in the door and each application after that is likely to widen the gap. It means objectors have to keep going through the process of re-submitting their objections to each new application.

The resident neighbours have pointed out that there is a restriction in the missives preventing the retail units below their flats being used for the vending of hot food; however this is deemed to be a non-valid consideration under the planning regulations as it relates to private interests.

### **Planning Application 14/03807/FUL**

As reported at the previous meeting, Aldi Stores has submitted their application for permission to clear the site of the Social Work and Church buildings and erect a new food store at 345 Oxfords Road North. There are 36 public comments recorded on the Planning Portal before the closing date, one of which was the Secretary's. Unfortunately, at the time of viewing, it does not identify whether the comments support or object to the proposal.

The Secretary submitted a comment on behalf of the Community Council supporting the proposal.

## Treasurer's Report

Due to the absence of the Treasurer, no report available.

## Correspondence

A list of correspondence received during this reporting period is attached as [appendix 2](#). For more detail on any of the correspondence listed contact the Secretary, Peggy Wright; Tel: 531 9796; email: [peggy.wright@live.co.uk](mailto:peggy.wright@live.co.uk).

## AOCB:

### **Firrhill Medical Centre**

Chair re-affirmed the report given at the last meeting that the Firrhill project is currently on programme and we can expect a site start in March 2015 with the building opening to the public in the summer of 2016.

Confirmed it is intended to allow the public to suggest names for the new building but suggestions will need to conform to the following criteria.

1. The name of the building cannot discriminate in any way on the basis of race, disability, gender, gender identity, sexual orientation, religion or beliefs.
2. Any proposed names should include a generic term such as "health" or "care" that simply conveys the main purpose of the building.
3. The geographical terms "Firrhill" and "Craiglockhart" should not be used in the title in order to avoid potential confusion with the General Practice teams that are re-locating to the Centre.
4. The name should be unique and not easily confused with any other NHS building in other parts of Lothian

### **Treatment of Weeds growing along edge of roads/footways**

Received a complaint from a Colinton Mains resident that weed spraying at edge of roads and footways is being carried out regularly in Oxbgangs & Firrhill by outside contractors, whereas much of Colinton Mains - which is supposed to be done by the Council - hasn't been sprayed for around 3 years. This has been reported by P Wright to Scott Neill and passed to S. Farquhar, SW Environment Manager. Cllr Aitken will follow it up.

**Action: Cllr Aitken**

## Date, Time and Venue of Next Meeting:

Monday **24<sup>th</sup> November 2014** in the Lochan View Community Business Centre at **2.30pm**.

Note change of time: This meeting commences at 2.30pm, in line with the Community Council's policy to avoid members and visitors having to walk home in the dark.

## Planning Report: October 2014

### Weekly Planning Bulletins

For the weekly bulletins issued on 22 Sept; 6, 13 and 20 Oct - there were no issues in the planning bulletins.

**29 Sept** - application 14/03807/FUL for the demolition of existing buildings and erection of a class 1 retail foodstore with ancillary works including car parking, access and landscaping at St John's Parish Church Hall, 345 Oxbgangs Road North, Edinburgh, EH13 9LY.

Application 14/03882/FUL for the erection of a single storey rear extension, together with decking, balustrade and dormer windows, in conjunction with re-division of existing two storey terraced house into two separate dwellings at 36 Colinton Mains Road, Edinburgh, EH13 9AW.

In regard to the above there was a previous application (14/00889/FUL) submitted for a two storey extension. This was refused and went to appeal. The Local Review Body on the 6<sup>th</sup> August upheld the decision to refuse planning permission on the ground that the proposed extension by reason of its design, scale, form and prominence was an incongruous addition that would be detrimental to neighbourhood character.

### Planning Applications

#### **Application 14/02760/FUL - 76 Colinton Mains Drive**

Received prior notification the Planning Officer's was recommending permission be granted for this application for a hot food takeaway with the proviso that the hours of business be restricted to a 9pm closing. The Sub Committee met on the 22<sup>nd</sup> October and agreed the application.

It is a surprising result in view of the fact the same application was refused just a few weeks previous. I attended the meeting and am of the opinion, if the residents had attended as a deputation, the outcome might have been different.

#### **Application 14/03807/FUL - Aldi**

As reported above the application is recorded in the Planning Bulletin for 29 September with a requirement for comments to be submitted by 24<sup>th</sup> October. The Secretary submitted comments on behalf of the Community Council to the Planning Officer, Francis Newton on 13<sup>th</sup> October recording our support for the development.

### Planning Committee meeting on 2<sup>nd</sup> October

#### **Planning Policy: Spokes Factsheet: Cycle Storage in Gardens**

This report by the Acting Director of Services for Communities relates to the Council's policy on the placement of sheds in the front garden of property and the action by *Spokes* for a more flexible approach. A factsheet was prepared, which sought to balance the provision of cycle storage with the preservation of character and amenity, especially in conservation areas.

The Council aims to support and encourage travel by bicycle and recognises the need for secure storage. However, the erection of structures for the storage of bicycles in the front gardens of residential properties did result in a number of complaints. The Council has a duty to protect the amenity of residential areas and the character and appearance of conservation area.

The Spokes factsheet details the planning legislation relating to the erection of sheds and provides further guidance on the location, size, form, screening and colour of shed which is likely to be

acceptable, where planning permission is required. The factsheet makes it clear that applications are always treated on their merits.

There has been insufficient applications and enforcement cases involving sheds in front gardens since the factsheet was introduced on 3 October 2013 to assess the policy. Committee agreed to extend the monitoring period and request a further report for October 2016. The information will also be maintained on the Council's website.

### **Planning Process: LDP: Action Programme Update**

This report by the Acting Director of Services for Communities was an update on the Local Development Plan (LDP) Action Programme.

The LDP Action Programme is a statutory requirement of the development plan process. It sets out a list of actions, including infrastructure measures, needed to deliver the policies and proposals in the LDP. The Action Programme is a corporate document. It is intended to be used as a mechanism to coordinate development proposals with the infrastructure and services needed to support them and to align the delivery of the LDP with corporate and national investment in infrastructure.

An Action Group, chaired by the Director of Services for Communities, has been set up in order to help facilitate the early delivery of the infrastructure actions contained within the programme, this report also identifies that early funding is required for its timely delivery.

### **The Edinburgh Planning Concordat Engagement Fund – report by the Acting Director of Services for Communities**

Update on the take-up of grants under the Edinburgh Planning Concordat Engagement Fund and proposes some minor changes to the eligibility criteria.

The Edinburgh Planning Concordat Engagement Fund was approved by the Committee on 8 August 2013 in conjunction with the Edinburgh Planning Concordat which seeks to promote consensual working between developers, the Council and community councils on major development in the City. The fund allows grants of up to £300 to assist community councils in engaging with the wider community. The Committee asked for an annual update of the take-up of the grant.

Since approval, there have been two applications for grant assistance, both of which have been agreed.

## Correspondence List: October 2014

By e-mail: forwarded to members where possible. Items in bold may be of particular interest.

- 1 Ryan McEwan, CEC: request for me to distribute posters re new waste bins.
- 2 Cllr Rust re investigation into possible load-bearing wall at 76 Colinton Mains Dr.
- 3 Cllr Rust re Aldi: Planning Application has been registered for demolition of existing buildings and erection of food store with car-park, landscaping, etc. Ref 14/03807/FUL
- 4 Scott Neill: Pentland Digest, Sept; submit articles for Dec edition by 21 Nov.
- 5 Andy Edwards re Capital Roads Budget: reply to Sec's query: section of footway between CM Green and Road will be carried out when resource is available – possible it could be done along with Colinton Mains Terrace to Oxgangs Rd North
- 6 Sec EACC re concerns over arming of police officers while on routine patrol/duties; documents and general info re Armed Policing Scrutiny inquiry by Scot Police Authority
- 7 James Harbison: Traffic Impact Assessment Report (& summary) re Aldi application
- 8 Andy Edwards, NEPs 2014, re Colinton Mains Park lighting requested by FCC rep: there has been a commitment from Central function that they will fund this scheme (est. £25) this financial year or next – not able to guarantee this year as it is currently difficult to procure lighting columns. Whole NEPs Budget of £34,500 will now go to Colinton (3 projects) and Fairmilehead (1 project).
- 9 FCC website-builder: query from a resident re who put the original shed in Hope Triangle [f. to H Levy for reply]
- 10 Sarah Boyack MSP: e-newsletter
- 11 Edinburgh Direct Aid: fund-raising Knitathon, 15-16 Nov.
- 12 Jim Napier notifying that info re Aldi's Planning Application put on Firrhill CC's website at [www.firrhillcommunitycouncil.btck.co.uk/](http://www.firrhillcommunitycouncil.btck.co.uk/)
- 13 Scott Neill: funding from RHS to support groups on start-up or developing gardening projects – grants of £300-£3000 – guidance & application form (closing date Mon 8 Dec) at <http://www.rhs.org.uk/scotlandfund>
- 14 Archie Clark: various documents re SW Communities Forum and ELDP2
- 15 Gordon Macdonald MSP: return of monthly newsletter
- 16 Lynn Duffy: HMO Notification of Application for Licence for Colinton Mains House, 12 Firrhill Crescent for 7 tenants (7 bedrooms)
- 17 Cllr Aitken re possible joint submission with Morningside on having 20 mph speed in Oxgangs Ave because of speeding problem at Greenbank. [Vehicles not able to speed in Ox. Ave before Greenbank end - put 20 mph sign just before that corner?]
- 18 Various e-mails re drop-in event (say 'No' to Aldi) at Oxgangs Library
- 19 Cllr Andrew Burns: Council Leader's Report for October
- 20 Jim Napier re shop at 76 Colinton Mains Drive: Planning Committee will consider Application on 22 Oct [Cllr Rust confirmed afterwards that the application was granted.]
- 21 Cllr Rust re CEC Outdoor Advertising Contract – Bus Shelter Removals: follows illegal removal of city bus shelters by Clear Channel (reported to Police Scotland and Health & Safety Executive) who have lost the contract to provide some of the city's bus shelters. The new contract with JC



Decaux is still in negotiation and Clear Channel, which owns 536 shelters (the Council owns/maintains the other 882, provided by True Form), is frustrated with the Council's delay in clarifying when they can remove them.

- 22 Pauline Valentine: reported 'Cold Callers' looking to sell Smart Meters in our area. Raised under the Police report.
- 23 Secretary EACC: papers for 29 Oct meeting in Dean of Guild Courtroom.
- 24 Scott Neill: invitation from Woodland Trust Scotland to plant trees for new Pentlands WW1 Commemorative Wood by Dreghorn Barracks, Sat 8 Nov, 11am-3pm. Family activities include bushcraft survival and wildflower sowing. For more info e-mail [scotland@woodlandtrust.org.uk](mailto:scotland@woodlandtrust.org.uk)
- 25 Scott Neill: papers for E&T Action Group meeting [held at same time as our FCC meeting; so PW can't attend]
- 26 H Levy: Hope Triangle Health Group, 29 Oct, 10 am-12 noon: diabetes discussion
- 27 Archie Clark: service e-leaflet from Planning & Building Standards Services: explains what the teams do and gives named contacts and how to get in touch by 'phone or e-mail
- 28 Cllr Aitken: Scottish Water info re keeping water cycle running smoothly and protecting pipes in winter
- 29 Scott Neill: info on Friends of the Parks groups in the city.
- 30 Scott Neill: info on Winter Weather Snow Wardens + request for more volunteers
- 31 Planning Dept Support: confirming that our letter re Aldi was received and we have been added as statutory consultees.