

**Planning Permission 11/02475/FUL
at
Proposed Telecommunications Cabinet 1 Metre
North Of
36 East Claremont Street
Edinburgh**

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

1 Purpose of report

To consider application 11/02475/FUL, submitted by Openreach. The application is for: **1 x DSLAM telecommunications broadband cabinet (1408mm x 750mm x 407mm).**

It is recommended that this application be **GRANTED** subject to the conditions below.

2 The Site and the Proposal

Site description

The application site comprises an area of public footpath on the eastern side of East Claremont Street immediately to the north of its junction with Melgund Terrace.

The site is located 6.4 metres from the corner of the adjoining building set to rear of a paved footway, which measures 4.8 metres in width at this location. The site is located against the external wall of a four storey tenement building, the ground floor of which is newsagent's shop. The proposed location is to the northern end of the shop frontage, beyond the existing shop windows, within a blank part of the elevation.

There is a newspaper bin located to the south of the application site in close proximity to the entrance to the shop which stands approximately 1.2 metres in height.

The site lies within the north eastern part of the Edinburgh City World Heritage Site.

This property is located within the New Town Conservation Area.

Site History

There is no relevant planning history for this site.

Pre-Application Process

Pre-application discussions were undertaken concerning the application process for this and similar cabinets throughout the city.

Description Of The Proposal

The application is for the installation of a freestanding, green coloured, telecommunications cabinet that measures 0.75 metres wide by 0.4 metres deep to a height of 1.4 metres.

The cabinet is required as part of an upgrade that will be used to provide high speed broadband services to residential and business users in the local area. The cabinet requires to be connected to existing telecommunications apparatus including an underground junction box and this location has been identified accordingly.

3. Officer's Assessment and Recommendation

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 plan, are there any compelling reasons for approving them?

ASSESSMENT

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

- a) the proposal will adversely affect the character or appearance of the conservation area; and
- b) the proposal has implications for road safety.

a) The New Town Conservation Area Character Appraisal emphasises the importance of the area given its formal planned layout of buildings, streets, mews and gardens and in the quality of the buildings themselves.

The proposed telecommunications cabinet is to be located at the heel of the pavement against the external wall of a four storey tenement building, the ground floor of which is newsagent's shop. There is an existing newspaper bin located to the south of the site of a similar size that is also a dark colour set against the shop facade.

In the context of its surroundings, the proposed cabinet represents a relatively minor intervention that will have minimal visual impact. It will not constitute an incongruous feature and will therefore not adversely affect the character or appearance of the conservation area at this location.

b) Transport has raised no objections to the proposal. With a minimum clearance of 4.3 metres, and located outwith the visibility splay for the road junction between East Claremont Street and Melgund Terrace, there are no implications for pedestrian or road safety.

As the proposal does not involve the erection of telecommunications transmission equipment the application is not required to be accompanied by a declaration of compliance with public exposure guidelines of ICNIRP (International Commission on Non-Ionising Radiation Protection).

As the Council is the land owner, it has an interest in the application and a Committee decision is required.

In conclusion, the proposals comply with the development plan and the relevant non-statutory guidelines, preserve the character and appearance of the conservation area and would not prejudice road safety. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to a condition requiring that the equipment be removed and the site reinstated in the event that equipment becomes obsolete or redundant.

REASON FOR DECISION

The proposals comply with the development plan and non-statutory guidelines and maintain the character of the conservation area and have no adverse effect upon road safety. A condition is attached to ensure that the equipment be removed and the site reinstated in the event that equipment becomes obsolete or redundant.

John Bury
Head of Planning

Contact/tel	John Maciver on 0131 529 3918
Ward affected	A12 - Leith Walk
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	28 July 2011
Drawing numbers/ Scheme	01-04 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, Paul Devaney on 0131 529 3519.
Email: paul.devaney@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation and you wish to request one at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting. Contact details can be found in the Committee agenda papers.

Appendix A



Application Type Planning Permission
Application Address: Proposed Telecommunications Cabinet 1 Metre North Of
36 East Claremont Street
Edinburgh

Proposal: 1 x DSLAM telecommunications broadband cabinet (1408mm x
750mm x 407mm).

Reference No: 11/02475/FUL

Consultations, Representations and Planning Policy

Consultations

Transport

Has no objections to the application.

Representations

The application was advertised on 12 August 2011 and attracted one letter of representation and from a neighbour objecting to the proposal.

There are no material points of objection or concerns raised in the correspondence.

Other points raised concerning the proximity of the cabinet to the blocked off shop windows and issues of land ownership are not material to the planning determination of the application.

In ownership terms it is clear that the application site lies within part of the public footway of an adopted public road.

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

Edinburgh City Local Plan - Urban Area and designated Conservation Area.

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

Policy Inf 5 (Telecommunications) sets criteria for assessing telecommunication developments.

Relevant Non-Statutory Guidelines

Non-statutory guidelines on "RADIO TELECOMMUNICATIONS" set out detailed guidance for the siting and design of masts, antennas, cabins and equipment in all locations, with special reference to listed buildings and other sensitive situations.

Other Relevant policy guidance

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix B

Application Type Planning Permission
Application Address: Proposed Telecommunications Cabinet 1 Metre North Of
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Edinburgh

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Reference No: 11/02475/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **GRANTED** subject to the conditions below.

Conditions

1. In the event that equipment becomes obsolete or redundant it must be removed and the site reinstated to the satisfaction of the Planning Authority within 3 months from that date.

Reasons

1. To minimise the level of visual intrusion, and ensure the reinstatement of the site to a satisfactory standard.

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.

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

End

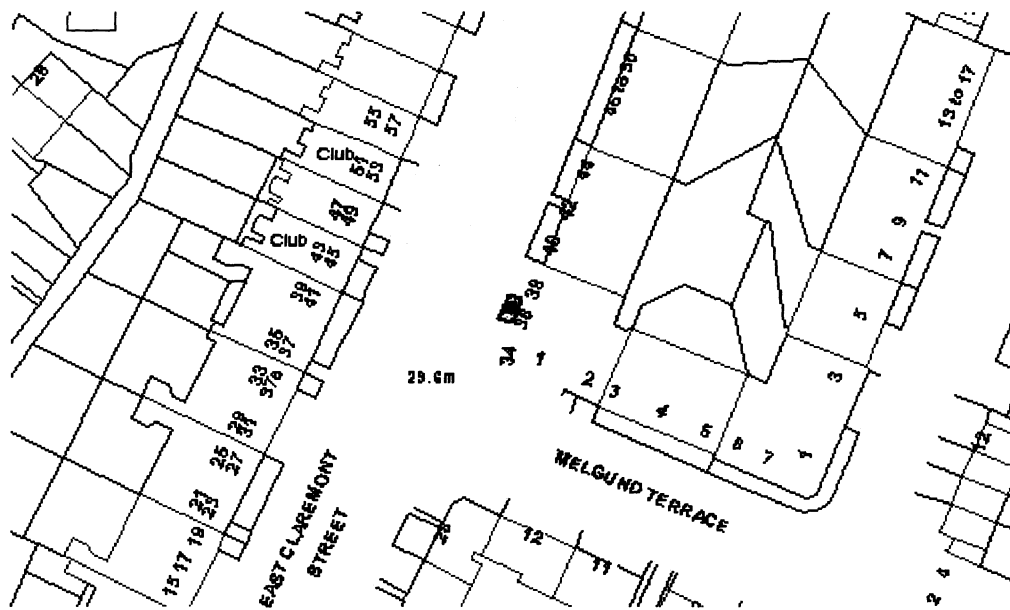
Appendix C



Application Type Planning Permission

Proposal: 1 x DSLAM telecommunications broadband cabinet (1408mm x 750mm x 407mm).

Reference No: 11/02475/FUL



Location Plan

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