

**Planning Permission 12/03121/FUL  
at  
Telecomms Apparatus 8 Metres North East Of 3  
Belhaven Terrace  
Edinburgh**

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

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**1 Purpose of report**

To consider application 12/03121/FUL, submitted by Openreach.. The application is for: **Install 1 x DSLAM Telecoms Cabinet measuring 1300mm x 800mm x 450mm.**

It is recommended that this application be **Granted** by Committee.

**2 The Site and the Proposal**

**Site description**

The application site is to the rear of a public footpath on Belhaven Terrace immediately adjacent to the junction with Balcarres Street. The proposed cabinet is set against a hedge of approximately 3m in height. The width of the footpath at this location is approximately 3.07m and an existing telecommunications box, PCP number 025, is located approximately 17.9m to the east.

This property is located within the Plewlands Conservation Area.

**Site History**

None.

## **Pre-Application Process**

Pre-application discussions were undertaken.

## **Description Of The Proposal**

It is proposed to install a freestanding green coloured telecommunications cabinet 800mm wide by 450mm deep by 1300mm high. The cabinet is required as part of an upgrade that will be used to provide high speed broadband services to residents and businesses in the area. The cabinet requires to be connected to existing telecommunications apparatus including an underground junction box.

## **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/public safety.
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- a) *The Plewlands Conservation Area is mainly comprised of two storey residential terraced development. The predominant height is two storeys with a small number of flatted elements of mainly three and four storeys. The buildings are complemented by mature trees, extensive garden settings, shallow stone boundary walls and spacious roads.*

The proposed cabinet will be approximately 17.9m from an existing telecommunications box and will be set against a hedge of approximately 3m in height. In the context of its surroundings the proposed cabinet will not constitute an incongruous feature, as various forms of street furniture are

located close by, and will therefore not adversely affect the character or appearance of the conservation area.

- b) Transport Planning has been consulted and has no objections to the proposal. There are no implications for pedestrian or road safety.

In conclusion, the proposal complies with the development plan and relevant non-statutory guidelines. The proposal preserves the character and appearance of the conservation area, and would not prejudice road/public safety. There are no material considerations which outweigh this conclusion.

As the proposal does not involve the erection of an electronic communications antenna there is no requirement for the developer to make a declaration under the provisions of the radio frequency public exposure guidelines of the International Commission on Non-ionising Radiation Protection [ICNIRP].

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

It is recommended that the Committee approves this application subject to a condition on the removal of the cabinet should it become obsolete.

## REASON FOR DECISION

The proposal complies with the development plan and relevant non-statutory guidelines. The proposal preserves the character and appearance of the conservation area, and would not prejudice road/public safety. There are no material considerations which outweigh this conclusion.

**John Bury**  
Head of Planning & Building Standards

<b>Contact/tel</b>	Colin Bryans on 0131 529 4279
<b>Ward affected</b>	A10 - Meadows/Morningside
<b>Local Plan</b>	Edinburgh City Local Plan
<b>Statutory Development Plan Provision</b>	Urban Area
<b>Date registered</b>	31 August 2012
<b>Drawing numbers/ Scheme</b>	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 Standards 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, Paul Devaney, 0131 529 3911, [paul.devaney@edinburgh.gov.uk](mailto: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:** Telecomms Apparatus 8 Metres North East Of 3  
Belhaven Terrace  
Edinburgh

**Proposal:** Install 1 x DSLAM Telecoms Cabinet measuring 1300mm x  
800mm x 450mm.

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### Consultations, Representations and Planning Policy

#### Consultations

##### Transport Planning

*No objections.*

#### Representations

The application was advertised on 14 September 2012.

One letter of objection was received from a neighbouring resident on the grounds of a potential detrimental impact on neighbourhood character and appearance, and a potential detrimental impact on pedestrian safety.

***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 proposal site is located in an urban area and within the Plewlands Conservation Area, as designated by the Edinburgh City Local Plan.

#### 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.

##### **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

The Plewlands Conservation Area is mainly comprised of two storey residential terraced development. The predominant height is two storeys with a small number of flatted elements of mainly three and four storeys. The buildings are complemented by mature trees, extensive garden settings, shallow stone boundary walls and spacious roads.

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

## Appendix B



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### Conditions/Reasons associated with the Recommendation

It is recommended that this application be Granted by Committee, subject to the conditions, reasons and informatives stated 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. 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.
3. 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.

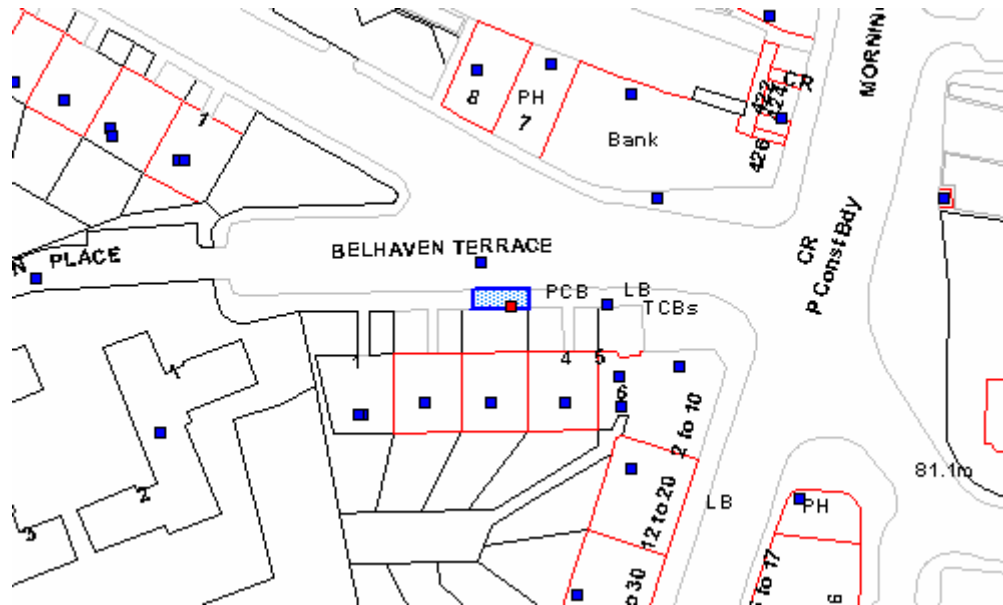
**End**

## Appendix C

**Application Type** Planning Permission

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### Location Plan

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