

**Planning Permission 12/03591/FUL
at
Telecomms Apparatus 21 Metres West Of 1
West Cherrybank
Edinburgh**

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

1 Purpose of report

To consider application 12/03591/FUL, submitted by Openreach. The application is for: **Install 1 x DSLAM Telecom Cabinet measuring 1408mm x 750mm x 407mm.**

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 the west side of West Cherrybank, approximately 20m south of the junction with Stanley Road. The proposed cabinet is set against a low grass bank beyond which stands a harled boundary wall of approximately 3m in height. The width of the footpath at this location is 1.9m and an existing telecommunications box, PCP018, is located 37.1m to the north across the junction with Stanley Road on Park Road.

This property is located within the Newhaven Conservation Area.

Site History

None.

Pre-Application Process

Pre-application discussions were undertaken concerning the principle and location of the proposal.

Description Of The Proposal

It is proposed to install a freestanding green coloured telecommunications cabinet 750mm wide by 407mm deep by 1408mm 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 needs 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.

a) The Newhaven Conservation Area Character Appraisal emphasises . ' *the importance of the harbour area, the historic alignment and traditional character of the buildings, the prominent views to Fife across the Firth of Forth, and the predominant use of traditional materials*'.

In the context of its surroundings the proposed cabinet will not constitute an incongruous feature and will not adversely affect the appearance of the conservation area. In terms of the character of the area, telecommunications equipment are common features and this proposal will do no significant harm to the traditional character of the area.

b) Transport Planning has been consulted and has no objections to the proposal. There are no implications for pedestrian or road safety as there will still be sufficient pavement width retained.

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.

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.

It is recommended that the Committee approves this application subject to the removal of the equipment if no longer needed.

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.

David R. Leslie
Acting Head of Planning & Building Standards

Contact/tel	Colin Bryans on 0131 529 4279
Ward affected	A04 – Forth
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	5 October 2012
Drawing numbers/ Scheme	01-04 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing at [Planning and Building Standards online services](#)

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

Appendix A



Application Type Planning Permission
Application Address: Telecomms Apparatus 21 Metres West Of 1
West Cherrybank
Edinburgh

Proposal: Install 1 x DSLAM Telecom Cabinet measuring 1408mm x
750mm x 407mm.

Reference No: 12/03591/FUL

Consultations, Representations and Planning Policy

Consultations

Transport Planning

No objections.

Representations

None.

Representations, if any, are available to view in the document list at [Planning & Building Standards online services](#).

Planning Policy

The proposal site is located in an urban area and within the Newhaven 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.

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.

The Newhaven Conservation Area Character Appraisal emphasises the importance of the harbour area, the historic alignment and traditional character of the buildings, the prominent views to Fife across the Firth of Forth, and the predominant use of traditional materials.

Appendix B



Application Type Planning Permission
Application Address: Telecomms Apparatus 21 Metres West Of 1
West Cherrybank
Edinburgh

Proposal: Install 1 x DSLAM Telecom Cabinet measuring 1408mm x
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Reference No: 12/03591/FUL

Conditions/Reasons associated with the Recommendation

It is recommended that this application be Granted by Committee, subject to any 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.

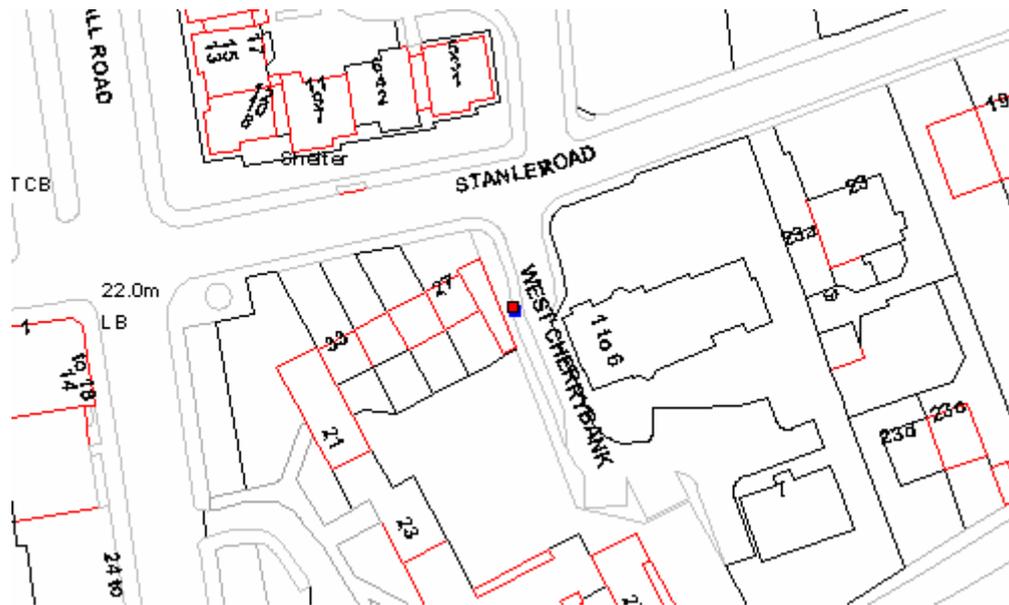
End

Appendix C

Application Type Planning Permission

Proposal: Install 1 x DSLAM Telecom Cabinet measuring 1408mm x 750mm x 407mm.

Reference No: 12/03591/FUL



Location Plan

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