

Development Management Sub Committee

Wednesday 16 January 2013

**Application for Planning Permission 12/04039/FUL
At Telecomms Apparatus 13 Metres West Of 6, Iona Street,
Edinburgh
Install 1 x DSLAM Telecoms Cabinet measuring 1408mm x
750mm x 407mm.**

Item number	3.6
Report number	
Wards	A12 - Leith Walk

Links

Policies and guidance for this application	CITE6, CITI5, NSRTEL, CRPLEI,
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Executive summary

**Application for Planning Permission 12/04039/FUL
At Telecomms Apparatus 13 Metres West Of 6, Iona Street,
Edinburgh
Install 1 x DSLAM Telecoms Cabinet measuring 1408mm x
750mm x 407mm.**

Summary

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.

Recommendations

It is recommended that this application be Granted subject to the details below (in section 3 of the main report).

Financial impact

There are no financial implications to the Council.

Equalities impact

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

This application is not subject to the Edinburgh Standards for Sustainable Building

Consultation and engagement

Pre-Application Process

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

Publicity summary of representations and Community Council comments

The application was advertised on 23 November 2012 and has attracted no letters of representation from either the Community Council or neighbouring properties.

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

Application for Planning Permission 12/04039/FUL At Telecomms Apparatus 13 Metres West Of 6, Iona Street, Edinburgh Install 1 x DSLAM Telecoms Cabinet measuring 1408mm x 750mm x 407mm.

1. Background

1.1 Site description

The application site is on the south corner of Iona Street and Leith Walk in the middle of the public footpath, 3.1 metres from the nearest building known as 367 Leith Walk. At this location the footpath is 8.2m wide and recycling facilities are also positioned at this point. Car parking spaces are located to the east of the pavement, at which point the width of the pavement narrows to 3.2 metres.

This property is located within the Leith Conservation Area.

1.2 Site History

No relevant planning history.

2. Main report

2.1 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.

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].

2.2 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?

2.3 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;
- b) the proposal has implications for road and public safety;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed.

a) Impact on character and appearance of the conservation area

The Leith Conservation Area character appraisal states that Leith Walk is characterised by a mix of buildings of widely varied design, use, quality and relationship to the street and highlights Leith Walk as one of the most important routes into the city. A hard continuous edge is given to the east by almost uniform and repetitive tenements that are given life by the local communities and the variety of goods and services on offer in ground floor premises.

Recycling facilities and other street furniture are located around the application site and in this context 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 not significantly harm the strong mixed use character of the area.

Alternative locations for the proposed cabinet were discussed pre-application and ruled out for technical or for reasons relating to visual impact.

b) Road and public safety

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

c) Equalities and human rights impacts

The proposed cabinet is located in the middle of the public footpath and has the potential to cause an obstruction to the visually impaired, wheelchairs and pushchairs. The size and location of the proposed cabinet, providing 4.6m between the proposed cabinet and the road and 3.2m between the cabinet and the building line, will have no detrimental impact on the ability of pedestrians, wheelchairs and pushchairs to use the footpath. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

d) Public comments

No public comments were raised with this application.

CONCLUSIONS

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 other material considerations which outweigh this conclusion and approval is recommended.

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

3. Recommendations

3.1 It is recommended that this application be Granted subject to the details below.

3.2 Conditions/reasons

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.

Statutory Development

Plan Provision

The site is located in an urban area of the Edinburgh City Local City.

Date registered

19 November 2012

Drawing numbers/Scheme

01-04

Scheme 1

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Links - Policies

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 Leith Conservation Area Character Appraisal emphasises the areas unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

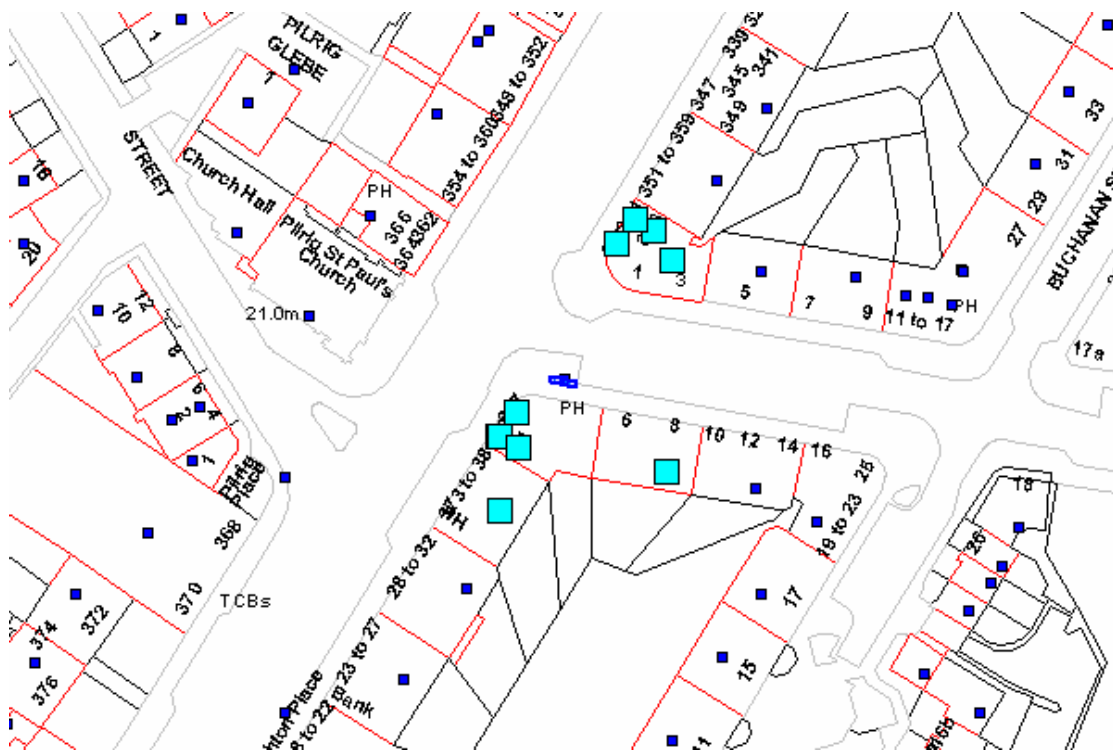
Appendix 1

Consultations

Transport Planning

I have no objections to the application.

Location Plan



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