

## Development Management Sub Committee

**Wednesday 28 August 2013**

**Application for Planning Permission 13/02235/FUL  
At Telecomms Apparatus 7 Metres West Of 3, Blackwood  
Crescent, Edinburgh  
Installation of 1x DSLAM telecoms cabinet measuring  
1408mm x 750mm x 407mm.**

<b>Item number</b>	4.1
<b>Report number</b>	
<b>Wards</b>	A15 - Southside/Newington

### Links

<a href="#"><u>Policies and guidance for this application</u></a>	LPC, CITE6, CITI5, NSG, NSLBCA, NSRTEL, OTH, CRPSSI,
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# Executive summary

## **Application for Planning Permission 13/02235/FUL At Telecomms Apparatus 7 Metres West Of 3, Blackwood Crescent, Edinburgh Installation of 1x DSLAM telecoms cabinet measuring 1408mm x 750mm x 407mm.**

### Summary

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

### Recommendations

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

### Financial impact

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There are no financial implications to the Council.

### Equalities impact

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The application has been assessed and has no impact in terms of equalities or human rights.

### Sustainability impact

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This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

### Consultation and engagement

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#### **Pre-Application Process**

There is no pre-application process history.

#### **Publicity summary of representations and Community Council comments**

The application was advertised on 19 July 2013 and attracted no letters of representation.

No comments were received from the community council.

## Background reading / external references

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

## **Application for Planning Permission 13/02235/FUL At Telecomms Apparatus 7 Metres West Of 3, Blackwood Crescent, Edinburgh Installation of 1x DSLAM telecoms cabinet measuring 1408mm x 750mm x 407mm.**

### **1. Background**

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#### **1.1 Site description**

The application site is on the north-west corner of Blackwood Crescent and 12 metres south of the junction with West Preston Street. The footpath at the application site has been extended and has three communal refuse bins sited on the extended part and four slim bollards along its edge.

This property is located within the Southside Conservation Area.

#### **1.2 Site History**

There is no relevant planning history for this site.

### **2. Main report**

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#### **2.1 Description Of The Proposal**

The application proposes the erection of a green metal cabinet 750mm wide by 407mm deep and 1408mm high. It forms part of the wider part of the government's Digital Britain project to provide super fast broadband.

#### Supporting Statement

The application includes a supporting statement which is available to view on the Planning and Building Standards Online Services. The issues covered are:

- the proposed site;
- impact on the use of the footpath; and
- upgrade of digital infrastructure in the area.

#### **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 preserves or enhances the character and appearance of the conservation area;
- b) the proposals harmfully affect road safety;
- c) any impacts on equalities and human rights are acceptable;
- d) any public comments have been addressed.

#### a) Conservation Area

*South Side Conservation Area Character Appraisal states that the buildings of the South Side are predominantly tenemental, with examples of Georgian and Victorian architecture in the Scottish style. Wallhead gables once common in many Scottish cities, are a particular feature of many buildings. The formal block patterns and the variety and diversity of architectural styles give the area a more urban feeling.*

The visual impact of the proposal, when considered in isolation, is relatively high due to its location in the middle of the extended footpath. The non-statutory guideline requires cabinets to be positioned at the back of the footpath. However the proposed cabinet is unable to be positioned at the heel of the footpath because of the position of existing window and door openings on the nearest building.

The proposed cabinet will maintain the full 2.1m width of the original footpath and will be parallel to the line of the original kerbstone. It will be read alongside existing bollards and communal refuse bins and while it will add an additional item of street furniture at the corner of Blackwood Crescent and West Preston Street the visual impact on the surrounding area is limited. The immediate area is subject to a concentration of street furniture because of the number of communal refuse bins sited on either side of Blackwood Crescent. The proposal is justified because policy Inf 5 recognises telecommunications infrastructure are essential to economic competitiveness.

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

The proposed cabinet accords with policies Env 6 and Inf 5 and non-statutory guideline for Listed Buildings and Conservation Areas and broadly complies with the non-statutory guideline Radio Telecommunications.

#### b) Road safety

The proposed cabinet will retain a footpath width of 2.1m and will not disrupt pedestrian movements. Transport Planning has been consulted and has raised no objections to the proposal with regard to matters of pedestrian or road safety.

The proposal has no implications for public safety.

### c) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified. An Equality and Right Impact Assessment Summary has been completed.

### d) Public comments

No comments received.

## CONCLUSIONS

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

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

## **3. Recommendations**

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

### **3.2 Conditions/reasons**

1. In the event that the equipment becomes obsolete or redundant the cabinet must be removed and the site reinstated 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.

4. The applicant should liaise with the Council's Network Services function to ensure the equipment meets the requirements of the Roads (Scotland) Act 1984.

### **Statutory Development**

<b>Plan Provision</b>	The site is located in an urban area designated by the Edinburgh City Local Plan.
<b>Date registered</b>	12 June 2013
<b>Drawing numbers/Scheme</b>	01-04,  Scheme 1

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## Links - Policies

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### **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** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**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 South Side Conservation Area Character Appraisal** emphasises the harmonious scale, massing and materials and the significance of key institutional buildings within the area.



# Appendix 1

## Consultations

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### Transport Planning

*No objections to the application.*

## Location Plan

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