

Development Management Sub Committee

Wednesday 28 August 2013

**Application for Planning Permission 13/02437/FUL
At Telecomms Apparatus 38 Metres Southwest Of 1, Oxford
Terrace, Edinburgh
Installation of 1x DSLAM telecoms cabinet measuring
1600mm x 1200mm x 450mm.**

Item number	4.7
Report number	
Wards	A05 - Inverleith

Links

Policies and guidance for this application	LPC, CITE1, CITE6, CITI5, NSG, NSRTEL, OTH, CRPNEW,
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Executive summary

Application for Planning Permission 13/02437/FUL At Telecomms Apparatus 38 Metres Southwest Of 1, Oxford Terrace, Edinburgh Installation of 1x DSLAM telecoms cabinet measuring 1600mm x 1200mm x 450mm.

Summary

The proposals, for the erection of a telecommunications equipment cabinet within the public footway, comply with the development plan and, with the imposition of an appropriate condition, will comply with the provisions of the Radio Telecommunications non-statutory guideline. The character and appearance of the conservation area will be suitably maintained and matters of road safety will not be detrimentally affected.

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

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

Sustainability impact

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

Consultation and engagement

Pre-Application Process

There is no pre-application process history.

Publicity summary of representations and Community Council comments

The application was advertised on 5 July 2013 and no letters of objection were received.

Background reading / external references

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

Application for Planning Permission 13/02437/FUL At Telecomms Apparatus 38 Metres Southwest Of 1, Oxford Terrace, Edinburgh Installation of 1x DSLAM telecoms cabinet measuring 1600mm x 1200mm x 450mm.

1. Background

1.1 Site description

The application site comprises a part of a pedestrian footway at the western end of a private area of amenity space located between Clarendon Crescent to the north and Queensferry Road to the south at the junction with Oxford Terrace.

The backdrop to the site is formed by a low stone wall with mature private hedgerow planting above. At the corner of Oxford Terrace with Queensferry Road there is 2.0 metre stone 'needle' termination. The private amenity space is dominated by a number of mature trees.

The site is on the footway between an existing telecommunications box and ornate street lighting column to the north and the 'needle' termination.

The site stands within the 'World Heritage Site'.
This property is located within the New Town Conservation Area.

1.2 Site History

There is no relevant planning history for this site.

2. Main report

2.1 Description Of The Proposal

It is proposed to install a freestanding, green coloured electronic communications cabinet measuring 1.2 metres in width by 0.45 metres deep to a height of 1.6 metres. The proposed cabinet is to be located at the heel of the footway against a 0.5 metres high stone wall, supplemented by a hedge to an overall height of 1.3 metres, surrounding an area of large trees.

The cabinet is required as part of an upgrade that will be used to provide high speed broadband services to residents and businesses within the surrounding area. The cabinet requires to be connected to existing electronic communications apparatus, including an underground junction box situated to the north east of the application site.

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 proposals preserve or enhance the character and appearance of the conservation area;
- (b) the proposals have any impact on the Outstanding Universal Value of the World Heritage Site;
- (c) the proposals affect road safety;
- (d) the proposals have any equalities or human rights impacts; and
- (e) comments raised have been addressed.

a) Impact on Character and Appearance of the Conservation Area

The New Town Conservation Area Character Appraisal identifies the site within The Dean Estate of 1850s development designed by John Tait taking advantage of Thomas Telford's high level bridge over the Water of Leith of 1831.

Edinburgh has a tradition of robust and well designed street furniture that can make an important contribution to the quality of the area.

Unfortunately, there is a plethora of street furniture that visually detracts from the classical and elegant layout of the conservation area.

The backdrop and the size of the proposed cabinet would reduce the visual impact of the structure within this part of the streetscape.

It has been located 6.5 metres to the south west of an existing telecommunications cabinet. Given the variety of street furniture at this location and the spacing proposed the cabinet would not result in a cluttered appearance of street furniture at this location.

In the context of the proposed site surroundings, the cabinet will have an acceptable visual impact, will not constitute an incongruous feature, and will not adversely affect the character or appearance of the conservation area.

b) Impact on the World Heritage Site

The proposals would not impact on the Outstanding Universal Value of the World Heritage Site given their size, location and limited impact within the streetscape.

c) Road/Public Safety Issues

The cabinet is to be located to the back of the footway thus retaining a footpath width of 1.3 metres.

Transport has raised no objections to the proposal with regard to matters of pedestrian or road safety.

d) Equalities and Human Rights Impacts

This application has no impact in terms of equalities and human rights.

e) Public Comments

No public comments were received.

Conclusion

As the proposal does not involve any electronic communications transmission antenna there is no requirement for 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 accordingly 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, would not impact on the Outstanding Universal Value of the world Heritage Site and would not prejudice road or public safety. There are no material considerations which outweigh this conclusion.

It is recommended that the Committee approves this application subject to a condition requiring the removal of the equipment when no longer required.

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 the equipment becomes obsolete or redundant it must be removed and the public footway 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.

Statutory Development

Plan Provision

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

Date registered

26 June 2013

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 1 (World Heritage Site) protects the quality of the World Heritage Site and its settings.

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.

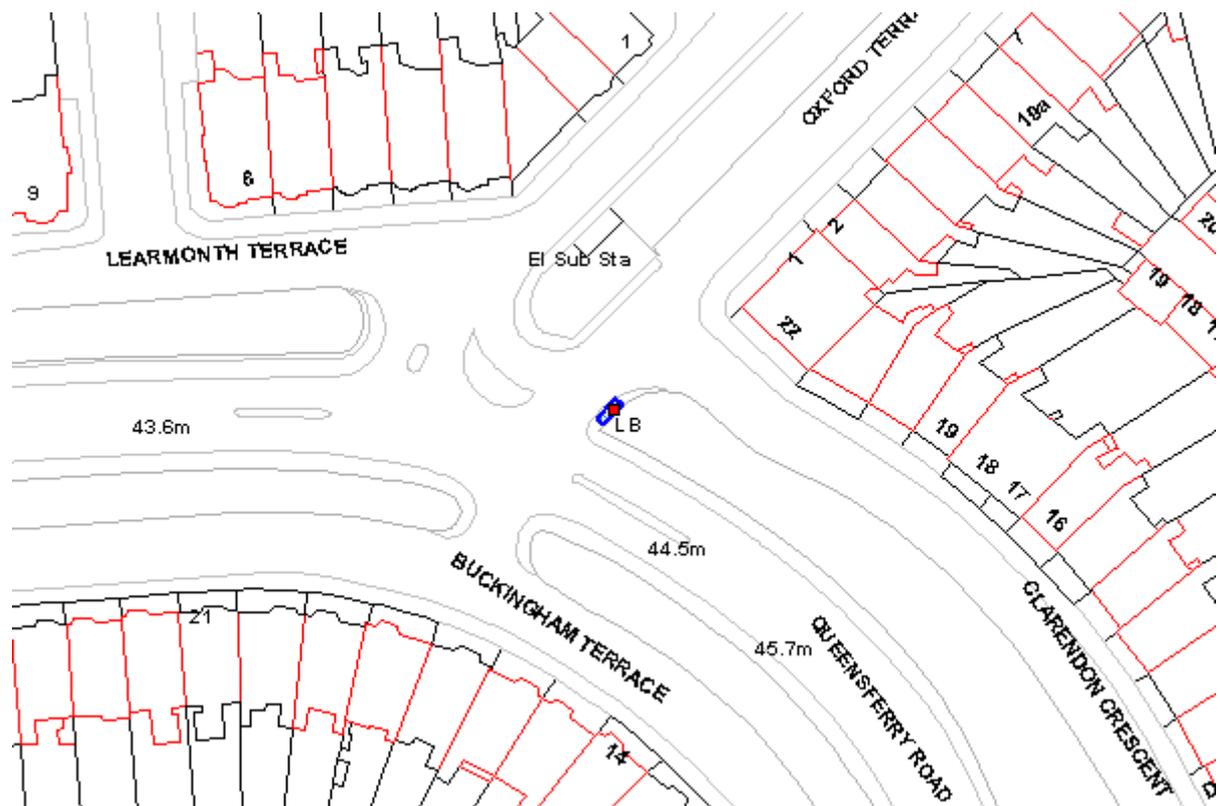
Appendix 1

Consultations

Transport

Have no objections to the application.

Location Plan



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