

# Development Management Sub Committee

Wednesday 20 June 2018

**Application for Planning Permission 17/05913/FUL  
At Proposed Telecoms Apparatus 33 Metres Northwest Of  
11, Bowmont Place, Edinburgh  
Site already in-situ. Extension to allow replacement mast to  
be integrated in the Network.**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposal will not harm the built or natural heritage of the city or have an unacceptable visual impact. The proposed extension of time is acceptable to allow a replacement mast to fully integrate into the network, after which the development will be removed and the site returned to its original state.

## Links

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[Policies and guidance for this application](#) LDPP, LRS07,

# Report

## **Application for Planning Permission 17/05913/FUL At Proposed Telecoms Apparatus 33 Metres Northwest Of 11, Bowmont Place, Edinburgh Site already in-situ. Extension to allow replacement mast to be integrated in the Network.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site lies within a group of semi-mature trees at the east end of Bowmont Place in proximity to Salisbury Crags. A public footpath leading to the Dumbiedykes estate runs along the east side of the trees. The site includes fencing around the mast and telecommunication cabinets within the fenced area.

#### **2.2 Site History**

19th April 2016 - Planning permission granted for a temporary telecoms mast until 11th May 2017 (application reference 15/05256/FUL).

3rd March 2017 - Planning permission granted for an extension of 12 months for a temporary telecoms mast until 13th May 2018 (application reference 16/05662/FUL).

### **Main report**

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#### **3.1 Description Of The Proposal**

The proposal is for a 12 month extension for an existing temporary mast to allow a replacement mast located at The Pleasance to be integrated into the network. The physical parts of the development will remain unchanged, the mast will still be approximately 24 metres in height. The site includes security fencing on the north side of Bowmont Place, with telecommunication cabinets included within the fenced area.

#### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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?

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- a) The proposal is acceptable in principle;
- b) The proposal is detrimental to visual amenity of the area;
- c) Any other relevant considerations are addressed;
- d) Any representations received have been addressed; and
- e) The proposal has an impact on equalities and human rights.

#### **(a) Principle**

The Edinburgh Local Development Plan (LDP) recognises that the provision of new telecommunications infrastructure is essential to economic competitiveness. Policy RS 7 in the LDP sets out criteria for assessing telecommunication proposals. Given that the mast is already in situ, criterion b) in relation to alternative sites is not relevant. The impact on visual amenity and in particular on Salisbury Crag is assessed in section 3.3 c).

#### **(b) Visual Impact**

The mast lies within a group of trees which helps screen its appearance from adjacent pedestrian routes. The existing mast has not caused harm to these trees.

The LDP states that there will be a limited number of locations, including city landmarks such as Arthur's Seat and Salisbury Crag, where the impact of an installation cannot be satisfactorily minimised, and where it will therefore be unacceptable in principle. Due to its height the upper section of the mast is visible above the trees in several views. However, this section of the structure is very slim and given the temporary nature of the proposal, it will not have an unacceptable long term impact upon the outlook of the Crag from Bowmont Place. When viewed from Salisbury Crag, the mast does not penetrate the skyline and is read against a backdrop of buildings.

On a temporary basis, the visual impact of the proposal is acceptable and will not harm the built or natural heritage of the city. It therefore accords with LDP policy RS7.

### (c) Other Considerations

A number of representations have raised concerns that temporary permission for this mast has been extended on previous occasions and that the mast has now been in position for a long time. The applicant has indicated that this further extension is needed until a replacement mast is operational. This replacement mast is now in position at The Pleasance and is just awaiting a power connection. It is understood that this will take place in the next few months which will allow this mast to be removed. A condition is proposed requiring the removal of the mast within 12 months of the date of consent.

### (d) Representations

This application received a total of 11 letters of representation. All eleven were objections to the proposal.

#### **Material Representations - Objection**

- Loss of visual amenity - addressed in section 3.3(b) of the assessment.
- Trees - addressed in section 3.3(b) of the assessment.
- Renewal of temporary permission - addressed in section 3.3(c) of the assessment.

#### **Non Material Representations - Objection**

- Loss of private view - this is not a planning matter.
- Impact on health - the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guideline has been satisfied.

### (e) Equalities and human rights

The proposal has no impact on human rights or equalities.

#### **Conclusion**

The proposal will not harm the built or natural heritage of the city or have an unacceptable visual impact. The proposed extension of time is acceptable to allow a replacement mast to fully integrate into the network, after which the development will be removed and the site returned to its original state.

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

#### **3.4 Conditions/reasons/informatives**

##### **Conditions:-**

1. Permission limited to a period of 12 months from date of issue after which the mast should be removed and the land returned to its original condition.

## **Reasons:-**

1. The condition is applied due to the temporary nature of the development, and to ensure the mast does not become permanent.

## **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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

## 8.2 Publicity summary of representations and Community Council comments

The proposal received a total of eleven letters of representation. These have been assessed in section 3.3 of the report.

### Background reading/external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development****Plan Provision**

The site lies within an urban area as defined within the Local Development Plan.

**Date registered**

19 December 2017

**Drawing numbers/Scheme**

01 - 05,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:****Relevant policies of the Local Development Plan.**

LDP Policy RS 7 (Telecommunications) sets criteria for assessing telecommunication developments.

# Appendix 1

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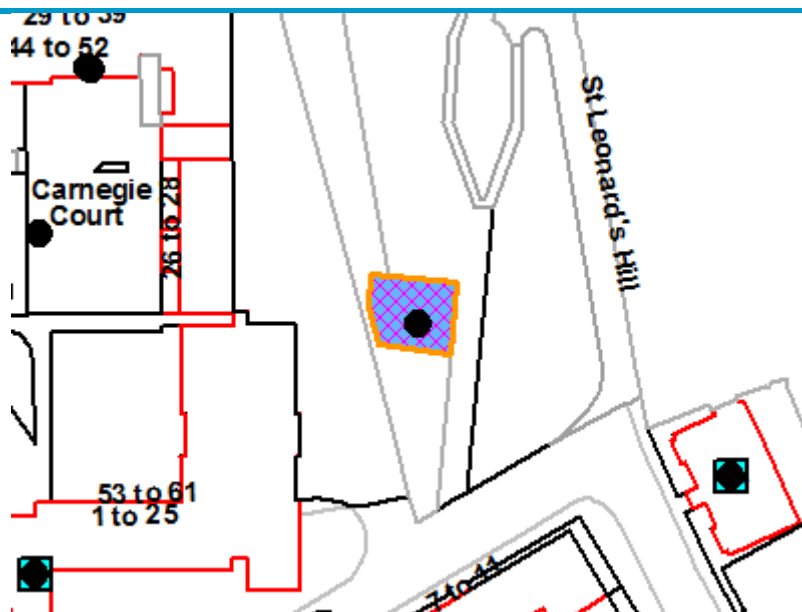
## Consultations

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No Consultations received.

## Location Plan

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