

Full Planning Application 05/00034/FUL
at
Observatory Road
(Blackford Hill Radio Station, Blackford Hill)
Edinburgh
EH9 3HG

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/00034/FUL, submitted by Accelerate Broadband Ltd.. The application is for: **Temporary tower currently erected on site alongside existing permanent tower (permitted development correspondence enc.), this application to make permanent, reasons detailed (enc)**

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons in Appendix B.

2 The Site and the Proposal

Site description

The application site is at the top of Blackford Hill to the west of the Royal Observatory, off Observatory Road. At present the site is dominated by the presence of a 50 metre high lattice tower bedecked with telecommunications antennae for various operators including the site owners Lothian & Borders Police Force.

The compound is an area of 2,450 square metres which is set within a natural platform to the south of and below the summit of the hill. It is bounded by a 3 metre high, wire mesh fence topped with out-splayed three strand barbed-wire

with two vehicular access points on the east side, a gated unmade roadway extending from the Observatory. Within the compound are two large, flat roofed, roughcast buildings and other pre-fabricated, ancillary structures to provide equipment housing in support of the telecommunications equipment.

At the north east corner of the site stands the applicants', moveable 18 metre support tower which stands on three splayed, stabilising legs covering a 5 metre diameter foot print.

Site history

17 July 2003 - Planning permission was granted for the installation of additional telecommunications antennae on the existing 50 metre high Lothian & Borders Police mast and erection of ancillary equipment (Ref 03/02042/FUL).

13 February 2004 - Determined that the temporary erection of a moveable telecommunications support mast, associated antennae and ancillary equipment was 'permitted development' for a maximum period of 6 months (Ref 04/00342/PNT).

Description of the Proposal

The application seeks to make permanent the temporary telecommunications support mast and associated antennae in existence on the site. The support mast and equipment is required to enable the applicant company to provide a wireless network for the provision of broadband services within the Edinburgh and Midlothian areas. The mast is 18 metres in height and the antennae consist of three, 1.0 metre long antennae, located at 17 metres above ground level, and three, 0.6 metre diameter microwave dish antennae, located one at 15 metres and the other two at 18 metres above ground level.

Supporting Statement - Available for inspection in Party Group Rooms.

Matters of the applicants' reasoning behind making the application and for not implementing the original consent to install the antennae on the existing 50 metre mast.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- 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 principal of a new telecommunications mast development is acceptable within an Area of Great Landscape Value and the Green Belt;
- b) the scale and design of the proposals is appropriate within an Area of Great Landscape Value and Green Belt;
- c) the applicant has demonstrated sufficient reasons for not sharing an adjoining telecommunications mast; and
- d) there will be any loss of residential amenity as a result of the proposals.

a) Policies E8 and E9 of the South East Edinburgh Local Plan and GE1 and GE5 of the Finalised South East Edinburgh Local Plan seek to protect the defined Green Belt and Area of Great Landscape Value from new development that is either inappropriate to those areas or which would not maintain the exceptional landscape and scenic qualities of the area.

Whilst the existing mast is a conspicuous structure in this location the erection of a second telecommunications mast on this prominent summit would detract further from the scenic qualities of the defined area. The summit is a particularly prominent landscape feature within both the defined Green Belt and Area of Great Landscape Value. The existing telecommunications support mast is an historic development; however, an additional mast would only result in drawing greater visual attention to both of these developments.

In the absence of a sufficient argument for not site sharing on the existing support tower the proposal fails to provide a sufficient justification for a new telecommunications development in contravention of these protective landscape policies.

b) The erection of an 18 metre high support mast and associated telecommunications equipment and apparatus does not fulfil an appropriate use that meets the green belt objectives or provide a development that would enhance the character or quality of the Area of Great Landscape Value. As such the proposal is at variance with the aims and objections of the development plan and in the absence of any justification for this new development would result in unnecessary harm to the objectives of these policies.

c) The applicant has the benefit of an existing planning permission for the installation of the telecommunications equipment on the existing 50 metre support tower at this site (Ref 03/02042/FUL).

The Council's Guidance on Radio Telecommunications seeks to ensure that site sharing options are fully considered before a new support mast would be supported. The applicant contends that the present mast cannot support any further equipment until it has been strengthened, in accordance with EU regulations. Those costs are prohibitive to the applicant company and the mast owners appear unwilling to undertake such works. As such there are no other suitable sites, buildings or structures that would accommodate the equipment.

The issue of cost in itself is not a material planning consideration and does not support the need for a second telecommunications support mast on this prominent site.

d) There are no other properties within a sufficiently close proximity to the site to be materially affected by the proposals.

It is recommended that the Committee refuse this application, for reasons relating to both landscape and scenic qualities, green belt objectives, appearance and lack of justification for an additional ground based mast; and agrees to authorise appropriate enforcement action to ensure the removal of the unauthorised support mast and all unauthorised associated telecommunications equipment from the site related to the operations of the applicant company.



Alan Henderson
Head of Planning and Strategy

Contact/tel	John Maciver on 0131 529 3918
Ward affected	49 - Newington
Local Plan	South East Edinburgh
Statutory Development Plan Provision	Green Belt
Date registered	10 January 2005
Drawing numbers/ Scheme	01-03 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal : www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Graham Dixon on 0131 529 3519. Email: graham.dixon@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: Observatory Road
(Blackford Hill Radio Station, Blackford Hill)
Edinburgh
EH9 3HG
Proposal: Temporary tower currently erected on site alongside existing permanent tower (permitted development correspondence enc.), this application to make permanent, reasons detailed (enc)
Reference No: 05/00034/FUL

Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

The application was advertised as a 'potential departure' to the development plan, green belt policy, on 28 January 2005.

Five letters of objection (including three received out of time, one from the local Ward Councillor) were received. Those concerns raised are summarised as follows:

- additional visual intrusion in the countryside;
- capacity to share the existing tower site;
- the temporary mast is already in breach of planning control; and
- the provision of a 'wireless' broadband network in Edinburgh is unnecessary.

Other points raised are not material.

Previous enforcement investigations have generated two letters of complaint concerned at the extended time period that the temporary mast has been allowed to remain on the site contrary to the 'permitted development' regulations.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

Finalised South East Edinburgh Local Plan - Green Belt and Open Space.

Relevant Policies:

DQ6 - seeks to ensure that alterations and extensions have due regard to the existing building.

DQ20 - seeks to ensure that telecommunications development should not adversely impact upon the built or natural environment and that all siting and design options have been considered and there are no practical alternatives.

GE1 - seeks to maintain existing Green Belt boundaries and restrict new development to necessary and appropriate forms of use or building.

GE5 - seeks to protect and enhance landscape quality within the defined Area of Great Landscape Value.

NPPG 19 (National Planning Policy Guideline on Radio Telecommunications) aims to enable the telecommunications industry to expand and diversify, but in a way which is sensitive to the environment and public concerns over emissions. It notes that where applicants demonstrate that they have given proper regard to siting and design issues, including the consideration of options, and have minimised environmental effects, it is unlikely that refusal would be warranted.

South East Edinburgh Local Plan

The site is within an area allocated as an Area of Great Landscape Value, an area of special nature conservation interest and is within the Greenbelt.

Relevant Policies:

Policy E4 sets quality objectives for new development.

Policy E8 establishes a presumption against unnecessary or inappropriate development in the Green Belt and protects prime agricultural land from development.

Policy E9 establishes the retention of landscape quality as the overriding consideration in dealing with proposals for development within the designated Area of Great Landscape Value, supports the Green Belt Trust in its objectives, and particularly seeks to improve sites at The Wisp and Gilmerton Gardens.

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

Application Type Full Planning Application

Application Address: Observatory Road
(Blackford Hill Radio Station, Blackford Hill)
Edinburgh
EH9 3HG

Proposal: Temporary tower currently erected on site alongside existing permanent tower (permitted development correspondence enc.), this application to make permanent, reasons detailed (enc)

Reference No: 05/00034/FUL

Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons below.

Reasons

1. The proposal is contrary to South East Edinburgh Local Plan Policy E4 in respect of new development quality, as it will result in an additional telecommunications mast on this site to the detriment of the quality of the landscape of this prominent hill top setting.
2. The proposal is contrary to South East Edinburgh Local Plan Policy E8 in respect of development in the Green Belt as it represents an unnecessary and inappropriate form of new development within the countryside where a suitable alternative location for the development already exists.
3. The proposal is contrary to South East Edinburgh Local Plan Policy E9 in respect of Area of Great Landscape Value, as it will result in an additional telecommunications mast on this site to the detriment of the defined exceptional landscape and scenic qualities of the area.
4. The proposal is contrary to the Finalised South East Edinburgh Local Plan Policy DQ6 in respect of the design of new development, as it will result in an additional telecommunications mast on this site to the detriment of the quality of the landscape of this prominent hill top setting.
5. The proposal is contrary to the Finalised South East Edinburgh Local Plan Policy DQ20 in respect of telecommunications equipment, as the applicant has failed to demonstrate sufficient reasons for not sharing the adjoining telecommunications mast which is available, and for which he already has planning permission, negating

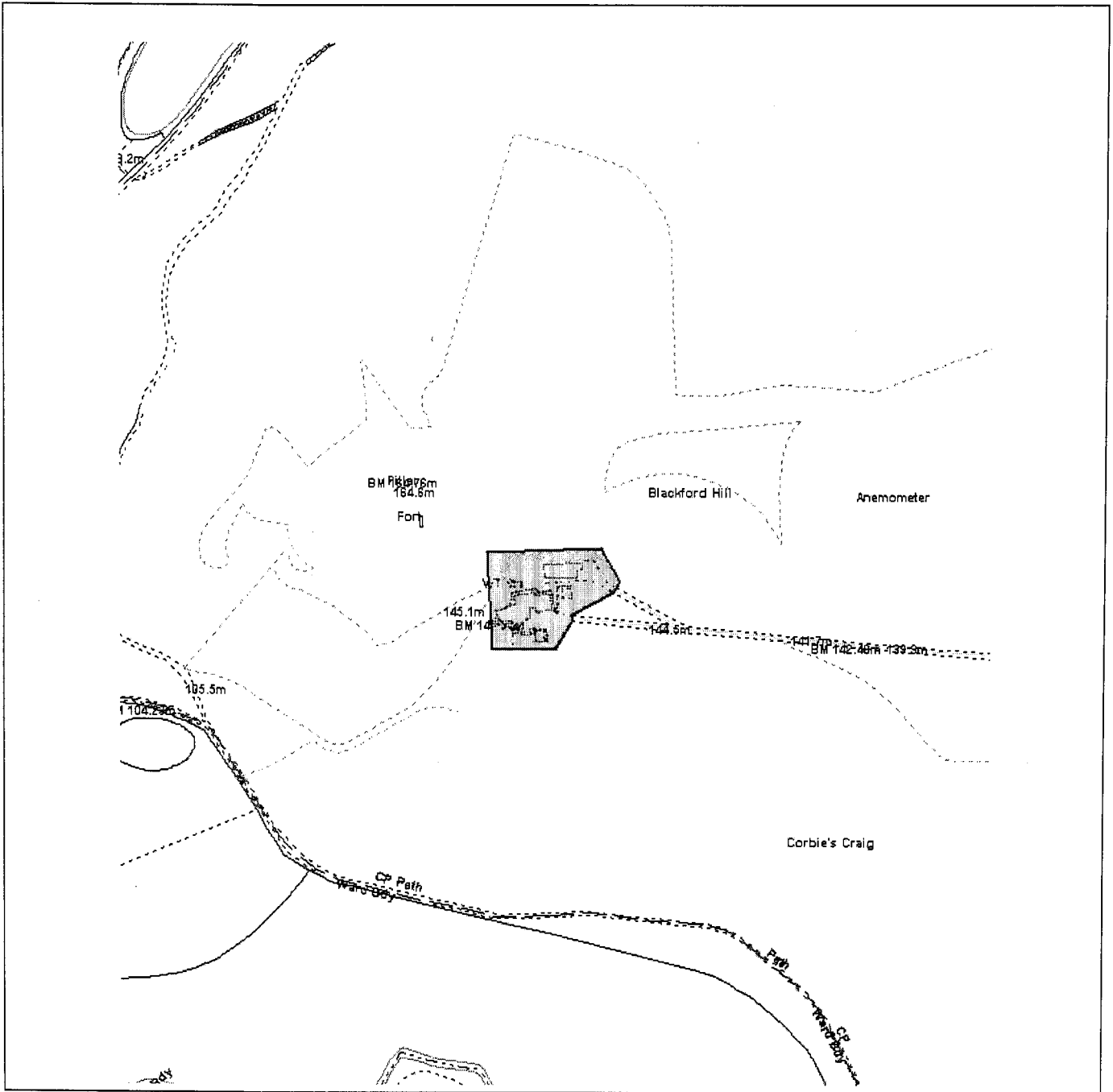
the need for an additional ground based mast that would be detrimental to the quality of the landscape of this prominent hill top setting.

6. The proposal is contrary to Finalised South East Edinburgh Local Plan Policy GE1 in respect of development in the Green Belt as it represents an unnecessary and inappropriate form of new development within this part of the countryside of an open and rural character.

7. The proposal is contrary to Finalised South East Edinburgh Local Plan Policy GE5 in respect of Area of Great Landscape Value, as it will result in an additional telecommunications mast on this site to the detriment of the intrinsic scenic interest and qualities of the landscape.

8. The proposal is contrary to Non Statutory Guidelines in respect of Radio Telecommunications, as the applicant has failed to identify sufficient reasons for not sharing the adjoining telecommunications mast which is available, and for which he already has planning permission, negating the need for an additional ground based mast.

End



Reproduction from the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence Number 100023420 The City of Edinburgh Council 2004.

PLANNING APPLICATION

Address	Observatory Road, (Blackford Hill Radio Station, Blackford		
Proposal	Temporary tower currently erected on site alongside existing permanent tower (permitted development correspondence		
Application number:	05/00034/FUL	WARD	49- Newington
THE CITY OF EDINBURGH COUNCIL			
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			