

JUSTICE MILL LANE, ADJ TO 26 BON
ACCORD TERRACE

INSTALLATION OF 1X DSLAM TELECOMS
CABINET MEASURING 1408MM X 750MM
X 407MM

For: BT Openreach

Application Ref. : P121053
Application Date : 31/07/2012
Officer : Tommy Hart
Ward: Torry/Ferryhill (Y Allan/A Donnelly/J
Kiddie/G Dickson)

Advert : Section 60/65 - Dev
aff LB/CA
Advertised on : 08/08/2012
Committee Date : 27 September 2012
Community Council : No response received



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site lies on the south side of Justice Mill Lane, to the immediate north of no 26 Bon Accord Terrace abutting the boundary wall. Currently there is 1no similar broadband box in close proximity as well as other street signs and street clutter. The site is on a bend with wide pavement width.

PROPOSAL

It is proposed to install 1no DSLAM telecommunications cabinet. The cabinet would be 1.4m in height, 0.75m wide and 0.4m long and would be dark green in colour. The cabinet would be connected to the existing nearby manhole via underground cabling.

REASON FOR REFERRAL TO SUB-COMMITTEE

The Council were notified as land owners due to the application being on the public footpath. Therefore, the determination of the application must be made by the Development Management Sub-Committee in accordance with the agreed Scheme of Delegation.

CONSULTATIONS

ROADS SECTION – no objections

ENVIRONMENTAL HEALTH – no observations

COMMUNITY COUNCIL – no comments received

REPRESENTATIONS

None received

PLANNING POLICY

The application site lies within a Mixed Use area (policy H2) as designated in the Aberdeen Local Development Plan (ALDP). ALDP paragraph 3.107 (Communications Infrastructure), Planning Advice Note 62 (Radio Telecommunications) and the Communications Infrastructure section of the Scottish Planning Policy (SPP) are also of relevance. As the site lies within a Conservation Area, ALDP policy D5 (Built Heritage), Historic Scotland's Scottish Historic Environmental Policy (SHEP) also needs to be taken into account.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that in determining a planning application, regard must be had to the Development Plan. Determination shall be made in accordance with the Plan unless material planning considerations indicate otherwise. The Development Plan consists of the Aberdeen City and Shire Structure Plan and the Aberdeen Local Development Plan.

ALDP policy H2 (Mixed Use Areas) seeks to ensure that the character of an area is not negatively impacted on due to the proposed development. The main principles of ALDP policy D5 and Historic Scotland's Scottish Historic Environmental Policy (SHEP), in terms of Development Management, is to ensure that any development within a Conservation Area enhances or preserves the area – in other words, the proposed development should not have a

detrimental impact on the character of the area. Given the location of the proposed cabinet at the rear of the pavement, it is considered that the cabinet would not have any further negative impact on the surrounding area that what currently exists with the other street furniture. The cabinet would not impact on any motorised vehicles visibility splays nor would it impact on pedestrian safety.

PAN 62, Local Plan policy 9 and the Communications Infrastructure section of the SPP all seek to ensure that telecommunications equipment are sited and designed to minimise visual impact or intrusion. The PAN goes one step further by stating that developments should be concealed and disguised where possible. It is, however, recognised that technical requirements and constraints may limit opportunities for sensitive design and siting. The SPP is clear that planning authorities should support the expansion of telecommunications infrastructure and should take into account the economic and social implications of telecommunications infrastructure. It has already been acknowledged that the siting of the cabinet is acceptable and therefore it is considered that there is no conflict with the above policies. It is worth noting that this cabinet forms a wider part of the Government's 'Digital Britain' project in order to provide Super Fast Broadband connectivity to the majority of the population.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed telecommunications cabinet would not have any negative impact on the surrounding area within the Conservation Area. The proposed siting to the rear of the pavement would not have an impact on pedestrian safety on the footpath.

it is recommended that approval is granted with the following condition(s):

(1) in the event that any part of this equipment becomes obsolete or redundant, it must be removed within 6 months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the Planning Authority, within 1 month of such removal – to minimise the level of visual intrusion and ensure the reinstatement of the site to a satisfactory condition.

Dr Margaret Bochel

Head of Planning and Sustainable Development.