



Planning Development Management Committee

Report by Development Management Manager

Committee Date: 21 June 2018

Site Address:	Land At 15A Dee Street, Aberdeen, AB11 6AW
Application Description:	Installation of telecoms cabinet
Application Ref:	171521/DPP
Application Type	Detailed Planning Permission
Application Date:	21 December 2017
Applicant:	BT Openreach
Ward:	Torry/Ferryhill
Community Council	Ferryhill and Ruthrieston
Case Officer:	Sepideh Hajisoltani



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site is a section of pavement on the eastern side of Dee Street, outside a four storey block of flatted properties. The pavement at his point of Dee Street is approximately 3.2m wide and within the Bon Accord Crescent/ Crown Street Conservation Area.

Relevant Planning History

170570/DPP- Detailed planning permission for installation of a telecoms cabinet was refused in December 2017 on visual amenity grounds.

APPLICATION DESCRIPTION

Description of Proposal

Installation of a telecommunications cabinet: 1300mm in height, 800mm long and 450mm wide and dark green in colour. It would be sited at the kerb of the pavement adjacent to 31 Dee Street and would be set 0.3m set back from the edge of the pavement.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P17LG3BZI1Y00>

The following documents have been submitted in support of the application –

- Supporting Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the proposal is being recommended for approval and has been subject of formal objection from the Roads Authority. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

ACC - Roads Development Management Team – Despite the proposed location leaving adequate footway clearance, and not hampering with the required visibility, having the cabinet on the road-side of the footway is not encouraged. The Roads Development Management Team and the Streetworks Occupation Team would be minded to refuse this application.

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)
- Historic Environment Scotland Policy Statement (HESPS)
- Planning Advice Note PAN 62 (Radio Telecommunications)

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design
- Policy H2: Mixed Use Areas
- Policy CI2: Telecommunications Infrastructure
- Policy D4: Historic Environment

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EVALUATION

Visual impact on the Development on the Conservation Area

Scottish Planning Policy (2014) (SPP) highlights the importance of digital infrastructure and states that the planning system should support:

- development which helps deliver the Scottish Government's commitment to world-class digital connectivity;
- the need for networks to evolve and respond to technology improvements and new services;
- inclusion of digital infrastructure in new homes and business premises; and
- infrastructure provision which is sited and designed to keep environmental impacts to a minimum.

Accordingly, the planning system has an important role to play in strengthening digital communications capacity and coverage across Scotland. However, all components of equipment should be considered together and designed and positioned as sensitively as possible, with cumulative visual effects of equipment being taken into account as part of the decision making process.

It is acknowledged that the proposed cabinet installation is part of a wider Government 'Digital Britain' project that will provide Super-Fast Broadband connectivity to the majority of the population. The previous application submitted for installation of a cabinet in this area was refused on visual amenity grounds. The agent has confirmed that the current application is the only other alternative due to technical limitations such as underground services. In this instance it is considered that visual impact of the proposal is not significant enough to warrant refusal of the application.

Impact of the proposal on Road Users

The siting of the proposed cabinet would reduce the width of the pavement from 3.2m to 2.45m. However it is noted that the reduced width would not be less than the minimum requirement for footpath users including wheelchair users or for the visually impaired. Consultation response from the Roads Development Management Team states that there would be adequate footpath clearance. It is also confirmed that the proposed cabinet would not have a detrimental impact on visibility for car users. Whilst acknowledging that a road-side location for the cabinet would not normally be encouraged, in this instance, the wider benefit of the proposal to the local community

and the overriding public and economic benefits arising from the delivery of digital connectivity across the city, outweighs the concerns with regard to the location of the cabinet. The reason for allowing this road-side cabinet are considered to be specific to this location and thus would not be seen as setting a precedent for other locations across the city.

Policy D1: Quality Placemaking by Design

SPP and PAN 62 seek to ensure that telecommunications equipment is designed and sited to minimise visual impact or intrusion, particularly in sensitive locations. PAN 62 elaborates on this position stating that developments should be concealed and disguised where possible, however, it recognises that technical requirements and constraints may limit opportunities for sensitive design and siting.

The proposed cabinet would be noticeable from the public road and would have an impact on the visual amenity of the area. It is widely accepted that telecommunication cabinets are normally seen as common features in urban areas. In this instance the application site is located within a one way street in the city centre with a variety of street furniture including traffic signs, bollards and telecoms cabinet nearby. As such the proposed cabinet would increase the extent of these features. To mitigate this, a condition is attached, requiring that the cabinet be painted in light grey colour to better blend with the nearby buildings. Notwithstanding the visual impact on the surrounding area, it is considered that the level of this impact would not have a significant detrimental impact on the characteristics of the surrounding area.

It is considered that subject to conditions, the proposal sufficiently complies with the provisions of Policy D1.

Policy H2: Mixed Use Areas

Applications for development or change of use within Mixed Use areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. The proposal fully accords with Policy H2 in that no new or extended use is proposed on site and that the cabinet would contribute to towards a technologically advanced city which is one of the objectives that feed through Aberdeen Masterplan. It is also noted that the siting of the cabinet would allow for routine maintenance and other relevant operator work without resulting in detrimental impact on residential amenity of nearby flats in terms of noise, privacy and overlooking.

Policy CI2: Telecommunications Infrastructure

It is considered that the proposal is generally acceptable in terms of policy CI2 in that the siting and appearance of the proposed equipment would not have a significant detrimental impact on the visual amenity, character or appearance of the surrounding area. It is also considered that the proposal is in full compliance with the long term vision of Aberdeen as a Smart City.

Policy D4: Historic Environment

The Council seek to protect preserve and enhance the historic environment in line with Scottish Planning Policy, Historic Environment Scotland Policy Statement and its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan.

It is considered that subject to conditions the proposal would not have a significant detrimental impact on the character and visual amenity of the conservation area, and sufficiently complies with policy D4.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

Subject to conditions, the proposed cabinet sufficiently complies with the relevant policies of the Aberdeen Local Development Plan, namely policies D1 (Quality Placemaking by Design), H2 (Mixed Use Areas), D4 (Historic Environment) and CI2 (Telecommunications Infrastructure) in that the proposal would not have a detrimental impact on the visual amenity and character of the conservation area and would not negatively impact pedestrian and road users safety. On the basis of the above, and following on from the evaluation under policy and associated guidance, it is considered that there are no material planning considerations that would warrant refusal of the application.

CONDITIONS

1. In the event that the hereby approved cabinet becomes obsolete or redundant, it must be removed within 6 months of such event. Once 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.

Reason – to minimise the level of visual intrusion and ensure the reinstatement of the site to a satisfactory condition.

2. Unless otherwise approved in writing by the Planning Authority the cabinet hereby approved shall be painted in light grey colour.

Reason – in the interest of visual amenity.

ADVISORY NOTES FOR APPLICANT

The applicant should be made aware that if the intended works involve the crossing of a footpath, carriageway or verge at any point, then that part of the works will require an application under the New Roads and Street Works Act. The applicant will require to contact the Road Works Co-ordination Unit on (01224) 522290 or (01224) 522298, roadworkscoordination@aberdeencity.gov.uk.

The applicant be made aware that they would have to be a member of the national register "Symology" and would be required to register their intended works through the Scottish Register "Symology".

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