



PLANNING APPLICATIONS COMMITTEE

Report by Executive Director of Development and Regeneration Services

Contact: Mr N Moran Phone: 0141 287 8684

ITEM 1 (d)

21st May 2013

APPLICATION TYPE	Full Planning Permission		
RECOMMENDATION	Grant Subject to Condition(s)		
APPLICATION	13/00330/DC	DATE VALID	19.02.2013
SITE ADDRESS	Site Opposite 10 Kelvinside Drive Glasgow		
PROPOSAL	Installation of telecommunications broadband cabinet on footpath.		
APPLICANT	Openreach Rutland House 5 Allen Road Livingston EH54 6TQ	AGENT	Harlequin Group Per Robin Arscott, Rutland House 5 Allen Road LIVINGSTON EH54 6TQ
WARD NO(S)	16, Canal	COMMUNITY COUNCIL LISTED	02_023, North Kelvin
CONSERVATION AREA	Glasgow West		
ADVERT TYPE	Affecting a Conservation Area/Listed Building	PUBLISHED	8 March 2013
CITY PLAN	Residential		

REPRESENTATIONS/CONSULTATIONS

No consultations were requested or required. One letter of representation was received from 'Friends of Glasgow West', the points raised are summarised below and discussed later in the report:-

- The proposed cabinet is sited insensitively in front of a green space.
- There are alternative locations for the cabinet.

Given the site's location within the Glasgow West Conservation Area; planning permission is required for the proposed cabinet installation.

Under the terms of the Scheme of Delegation, this application requires to be reported to the Planning Applications Committee as the site is in Council ownership.

SITE AND DESCRIPTION

The application site is an area of adopted footpath located on the southern side of Kelvinside Drive adjacent to the junction with Kelvinside Gardens East. The site is located in a designated Residential area within the Glasgow West Conservation Area; none of the immediately adjacent buildings are listed.

The proposed works involve the installation of a telecommunications equipment cabinet at the heel of the footway which will house equipment to convert from fibre optic to copper cabling. The proposed cabinet will be located adjacent to an area of open space. The cabinet would be 750mm wide, 407mm deep and 1.408m high; retaining a footway clearance of 2.4m from the toe of the footway. The applicant has stated that the cabinet would be painted dark green.

The proposed cabinet would connect to the telephone exchange via high speed fibre optic cabling and would link into the existing copper wire network from the new cabinet to local residences. This would provide increased speeds for broadband in the area and forms part of a UK wide project to provide super fast broadband connectivity. The proposed cabinet is required to be located as close as possible to the existing Openreach cabinet at an adjacent site in order to reduce the amount of copper cabling within the system in order to maintain speeds.

POLICIES

The Development Plan consists of The Glasgow and the Clyde Valley Strategic Development Plan 2012 and the Glasgow City Plan 2 (adopted in December 2009). There are no policies of relevance to the assessment of the proposal in the Strategic Development Plan. In terms of City Plan 2, the site lies within a DEV 2 Development Policy Principle area.

The following City Plan 2 policies are considered relevant to the assessment of the application.

- DEV 2 - Residential and Supporting Uses.
- DES 3 - Protecting and Enhancing the City's Historic Environment.
- DG/DES 3 - Design Guidance for Listed Buildings and Properties in Conservation Areas.
- IB8 - Telecommunications.

SPECIFIED MATTERS

Planning legislation now requires the planning register to include information on the processing of each planning application (a Report of Handling) and identifies a range of information that must be included. This obligation is aimed at informing interested parties of factors that might have had a bearing on the processing of the application. Some of the required information relates to consultations and representations that have been received and is provided elsewhere in this Committee report. The remainder of the information, and a response to each of the points to be addressed, is detailed below.

A. Summary of the main issues raised where the following were submitted or carried out

i. An Environmental Statement

Not applicable to this application.

ii. An Appropriate Assessment under the Conservation (Natural Habitats etc.) Regulations 1994

Not applicable to this application.

iii. A Design Statement or a Design and Access Statement

Not applicable to this application.

iv. Any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk flooding)

Not applicable to this application.

B. Summary of the terms of any Section 75 Planning agreement

Not applicable to this application.

C. Details of directions by Scottish Ministers under Regulation 30, 31 or 32

These Regulations enable Scottish Ministers to give directions.

i. with regard to Environmental Impact Assessment Regulations (Regulation 30)

Not applicable to this application

ii. 1. Requiring the Council to give information as to the manner in which an application has been dealt with (Regulation 31)

Not applicable to this application.

2. Restricting the grant of planning permission

Not applicable to this application.

iii. 1. Requiring the Council to consider imposing a condition specified by Scottish Ministers.

Not applicable to this application.

2. Requiring the Council not to grant planning permission with satisfying Scottish Ministers that the Council has considered the condition.

Not applicable to this application.

ASSESSMENT AND CONCLUSIONS

Section 25 of the 1997 Town and Country Planning (Scotland) Act requires the determination of this application to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

The principal planning issues to be addressed with respect to this application are considered to be:-

1. Whether the proposal accords with the Development Plan.
2. Whether the proposed development preserves or enhances the character or appearance of the Glasgow West Conservation Area.
3. Whether the material considerations have been addressed. This includes any consultation responses and/or representations received.

In respect of 1 above

The development plan comprises The Glasgow and Clyde Valley Strategic Development Plan 2012 and the Glasgow City Plan 2 (adopted December 2009). The Strategic Development Plan does not contain any specific policies relevant to the assessment of this application. Within the City Plan, the policies outlined above are considered to be relevant.

DEV 2 - Residential and Supporting Uses

The development site is within an area covered by Development Policy Principle DEV 2 - Residential and Supporting Uses. The policy sets out the criteria for considering development proposals affecting the City's main housing districts and supporting uses, such as local recreational facilities and areas of green/open space. The policy states that "the council will support proposals which enhance residential amenity; improve access to/from and within the areas; and preserve and enhance the integrity of the townscape, landscape and green network provision".

Comment: Policy DEV 2, in itself, does not preclude telecommunications development from residential areas. The proposal will improve the network of telecommunications within the locality would not impact the visual or residential amenity of the area. The proposal is therefore consistent with this development policy principle.

DES 3 - Protecting and Enhancing the City's Historic Environment and corresponding Development Guide DG/DES 3 - Design Guidance for Listed Buildings and Properties in Conservation Areas

The location of telecommunications apparatus should not be detrimental to the character or setting of a Listed Building or to the visual amenity of a Conservation Area.

Comment: Given that the proposed cabinet would be painted dark green, it is considered that the cabinet would represent a minor addition to the streetscape. By reason of its design the cabinet, would appear in keeping with the character of the surrounding area and consequently have a neutral impact on the visual amenity of the wider Glasgow West Conservation Area.

IB8 – Telecommunications

Telecommunication apparatus proposals should not result in a situation where the erection of a mast and cabins would be detrimental to pedestrian or traffic safety. Telecommunications apparatus on a listed building or in a conservation area will only be considered acceptable where it would not prove detrimental to the character or setting of a listed building or the visual amenity of a conservation area.

Comment: As discussed above, given that the cabinet would be dark green it is considered that the cabinet would represent an understated addition to the streetscape and consequently have a neutral impact on the visual amenity of the wider Glasgow West Conservation Area. With regard to public and traffic safety, it is considered the proposal would have a negligible impact at this location, as a pavement width of 2.78 metres will remain unobstructed.

In respect of 2 above

As previously discussed, the proposed development is considered to have a neutral impact on the character or appearance of the Glasgow West Conservation Area.

In respect of 3 above

One letter of objection was received, from 'Friends of Glasgow West'. The reasons for objection are summarised below, with an appropriate comment.

1. The proposed cabinet is sited insensitively in front of a green space.

Comment:- As discussed above, the proposed cabinet would be painted dark green. This colour will permit the cabinet to appear unobtrusive against its environment and the cabinet would represent an understated addition to the streetscape and consequently have a neutral impact on the visual amenity of the wider Glasgow West Conservation Area.

2. There are alternative locations for the cabinet.

Comment:- The proposed cabinet has been sited in close proximity to the BT junction box in order to reduce the amount of copper cabling within the system in order to maintain speeds. The proposed location of the cabinet is sufficiently far removed from the existing BT cabinet that the cabinet would not create the appearance of visual clutter.

Conclusion

In conclusion, the proposed development is considered to accord with the relevant policies of City Plan 2. The proposal is sufficiently minor to normally be regarded as permitted development; however in this instance an application for Planning Permission is required due to its location within the Glasgow West Conservation Area. The equipment cabinet will be located at the heel of the footway and it is not considered that the proposal would cause obstruction of the footway or cause harm to visual amenity of the wider conservation area. There are no other material considerations to consider which would outweigh the proposal's compliance with the development plan. It is therefore recommended that planning permission be granted, subject to undernoted conditions.

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with drawing number(s):-

PCP013 revision A,
PCP013 Kelvinside Drive,
'PCP013 Test Rod and Rope',
'ECI Cabinet' specification details, date stamped, DRS 19 February 2013,

as qualified by the undernoted condition(s), or as otherwise agreed in writing with the Planning Authority.

Reason: As these drawings constitute the approved development.

02. A minimum width of footway of 2 metres shall be retained at all times between the proposed equipment and the edge of the footway.

Reason: In the interests of pedestrian safety.

03. The doors of cabinets shall be capable of being fully opened to 180° or be of a sliding nature.

Reason: In the interests of pedestrian safety.

04. All telecommunications equipment, hereby approved, shall be removed and the site restored to its former state within one month of the telecommunications equipment becoming unused.

Reason: In order to protect the visual amenity of the surrounding area.

05. The equipment cabinet shall be located at the heel of the footway.

Reason: In the interests of pedestrian safety.

06. The equipment cabinet, shall be painted dark green (RAL 6002) and shall remain so painted at all times.

Reason: To safeguard the character of the surrounding conservation area.

07. Noise from or associated with the completed development (the building and fixed plant) shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

REASON(S) FOR GRANTING THIS APPLICATION

01. The proposal was considered to be in accordance with the Development Plan and there were no material considerations which outweighed the proposal's accordance with the Development Plan.

ADVISORY NOTES TO APPLICANT

01. It should be noted that presently or in the future servicing of the proposed development could be subject to traffic regulations and existing waiting and loading restrictions.

for Executive Director of Development and Regeneration Services

DC/NMO/(H)
14/05/2013

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