

Development Management Sub-Committee Report

Wednesday 10 January 2024

Application for Planning Permission
221B St John's Road, Edinburgh, EH12 7UU

Proposal: The removal of existing slimline lattice tower, 9 No. existing antennas, 4 No. existing equipment cabinets within existing cabins and other ancillary apparatus and the installation of a new replacement 8.0m high stub tower, 12 No. antennas on proposed headframe /supports, 2 No. GPS modules, 2 No. equipment cabinets and 2 No. ERS racks within existing cabins, 1 No. cable tray, 1 No. stepover, 3 No. self-closing gates and all other associated ancillary apparatus thereto.

Item – Committee Decision
Application Number – 23/01771/FUL
Ward – B06 - Corstorphine/Murrayfield

Reasons for Referral to Committee

In accordance with the statutory scheme of delegation, the application has been referred for determination by the Development Management Sub-committee as it has received more than twenty material representations in objection and the recommendation is to grant planning permission.

Recommendation

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

Summary

The proposal is acceptable and would accord with the objectives of NPF4 Policies 1, 14, 16 and 24 and LDP Policies Des 1, Des 12 and RS7. The proposal would harmoniously relate to the host property in terms of its appearance and would represent a minor increase in size and scale in comparison to the existing telecommunications equipment that is situated on the roof of the building. It would not have an unacceptable impact on amenity. There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site is a three storey commercial building situated behind two storey mixed-use buildings that front St John's Road to the north. Residential properties, which are mainly one and two storeys, are located to the south, south-west, and north-east.

The roof of the application site houses a number of telecommunications antennas, cabinets and cabins.

Description of the Proposal

The proposal is for the installation of a 5G antenna (19.5m in height, approximately) and related infrastructure to the flat roof of the building, to replace the existing telecommunications equipment (17m in height) and related infrastructure.

Additional material

ICNIRP Certificate

Planning Statement

Relevant Site History

19/02471/PNT

221B St John's Road

Edinburgh

EH12 7UU

Installation of 6 No. replacement antennas with ancillary supporting apparatus onto existing roof top stub mast, refurbish existing rooftop equipment cabin.

Permitted Development

24 June 2019

14/05291/FUL

221B St John's Road

Edinburgh

EH12 7UU

The removal of 3 existing Vodafone antennas and the installation of 6 replacement antennas and 3 RRU's (Remote Radio Units) onto the existing stub tower on the roof of Corstorphine Telephone Exchange. The proposal also involves the removal of 3 existing equipment cabinets and installation of 3 replacement cabinets within the existing equipment cabin located on the roof.

Permitted Development

19 February 2015

14/04227/PNT

221B St John's Road

Edinburgh

EH12 7UU

Installation of 3no additional antennas and a new equipment cabinet at Corstorphine telephone exchange St John's Road, Edinburgh.

Permitted Development

29 October 2014

12/04329/PNT

221B St John's Road

Edinburgh

EH12 7UU

Installation of an additional equipment cabinet on existing grillage at Corstorphine telephone exchange, St John's Road, Edinburgh EH12 7UU.

Permitted Development

24 December 2012

Other Relevant Site History

No other relevant site history.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

No consultations undertaken.

Publicity and Public Engagement

Date of Neighbour Notification: 5 May 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 315

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Policies 1, 14, and 24.
- LDP Design Policies Des 1 and Des 12.
- LDP Telecommunications Policy RS7.

Principle

Within National Planning Framework 4 (NPF 4) the Scottish Government has set out its aspirations for the roll out of the most up to date connectivity. Councils are encouraged to support digital infrastructure improvements, where possible, to reduce gaps in connectivity and barriers to access.

The improvements in infrastructure would have the potential for more people to work from home and reduce the need to travel to work, thereby reducing carbon emissions from vehicles.

The proposal would comply with NPF 4 Policies 1 and 24 and LDP Policy RS7.

Scale, Form and Design

The application site is partially screened from public view to the north, on St John's Road, by the buildings that front onto that road.

The proposal is of a similar size and scale to that of the existing telecommunications infrastructure situated on the roof. Given the functional appearance of the building and its relatively inconspicuous location, the increase in size of the proposal would represent a modest alteration that would sit comfortably on the roof of the application site.

The proposal complies with NPF4 Policy 14 and LDP Policies Des 1 and Des 12.

Amenity/Health

The Scottish Government has recently published a position statement in relation to perceived health threats from telecommunications apparatus. It states that In the UK and internationally, independent expert groups have examined the accumulated research evidence. The conclusions of these groups support the view that there is no convincing evidence that radio frequency field exposures below international guideline levels (ICNIRP) cause health effects in either adults or children.

This application includes a submission confirming that the development would comply with ICNIRP, and accordingly it is concluded that the proposal would not have an adverse effect on the health of residents.

The proposal would have no adverse effect when assessed against non-statutory guidance in relation to privacy, daylight or sunlight for neighbouring residential properties.

This complies with NPF4 Policy 24 and LDP Policy Des 12.

Conclusion in relation to the Development Plan

The proposal would form an appropriate addition to the building and would not have an unacceptable impact on the character of the area or on residential amenity. It would promote the most up to date digital connectivity and would support the opportunity for people to work close to their place of residence.

The proposal complies with NPF4 Policies 1, 14 and 24 and LDP Policies Des 1, Des 12 and RS7.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

Three hundred and eleven representations were received (In objection).

material considerations

The main theme of the representations were related to health concerns and the impact on the character on the area; these have been addressed in section a).

Conclusion in relation to identified material considerations.

Identified material considerations have been assessed above and do not raise issues which outweigh the conclusion in relation to the development plan.

Overall conclusion

The proposal is acceptable and would accord with the objectives of NPF4 Policies 1, 14 and 24 and LDP Policies Des 1, Des 12 and RS7. The proposal would harmoniously relate to the host property in terms of its appearance and would represent a minor increase in size and scale in comparison to the existing telecommunications equipment. It would not have an unacceptable impact on amenity. There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informatives

It should be noted that:

1. 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.
2. 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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 24 April 2023

Drawing Numbers/Scheme

01-06

Scheme 1

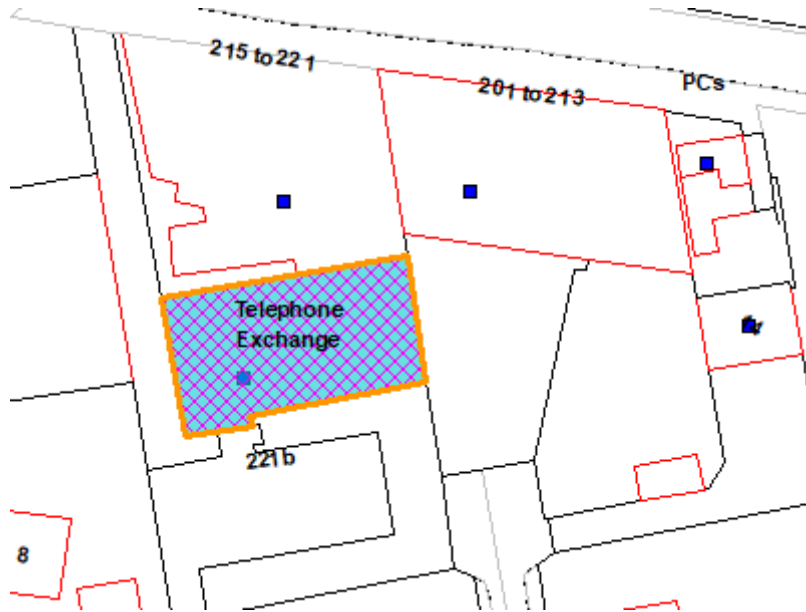
David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Conor MacGreevy, Planning Officer
E-mail: conor.macgreevy@edinburgh.gov.uk

Summary of Consultation Responses

No consultations undertaken.

Location Plan



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