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<b>Report To:</b>	<b>The Planning Board</b>	<b>Date:</b>	<b>3 January 2018</b>
<b>Report By:</b>	<b>Head of Regeneration and Planning</b>	<b>Report No:</b>	<b>17/0324/IC Plan 01/18</b>
<b>Contact Officer:</b>	<b>James McColl</b>	<b>Contact No:</b>	<b>01475 712462</b>
<b>Subject:</b>	<b>Installation of grey coloured Virgin Media street cabinet at Outside 103 Albert Road, Gourock</b>		



### **SUMMARY**

- The proposal accords with the Inverclyde Development Plan.
- Seven objections have been received raising concerns over the impact on road safety, visual impact and maintenance.
- The Head of Environmental and Commercial Services considers the development acceptable on road safety grounds.
- The recommendation is to GRANT PLANNING PERMISSION subject to conditions.

Drawings may be viewed at:

<https://planning.inverclyde.gov.uk/Online/applicationDetails.do?activeTab=documents&keyVal=OXNWAKIMMP000>

## **SITE DESCRIPTION**

The application site is a section of the public footway on the south-eastern side of Albert Road, within the Gourrock West Bay Conservation Area. Adjoining the heel of the footway is the front boundary wall and box hedge of 103 Albert Road. A variety of residential properties lie adjacent to the site.

## **PROPOSAL**

It is proposed to site a grey coloured telecommunications cabinet approximately 0.985m high by 0.535m wide by 0.315m deep in connection with the provision of underground telecommunications cabling. It is set immediately in front of the existing wall and hedge between the pedestrian and vehicular accesses for the adjacent dwellinghouse.

## **DEVELOPMENT PLAN POLICIES**

### **Policy RES1 - Safeguarding the Character and Amenity of Residential Areas**

The character and amenity of residential areas, identified on the Proposals Map, will be safeguarded and, where practicable, enhanced. Proposals for new residential development will be assessed against and have to satisfy the following criteria:

- (a) compatibility with the character and amenity of the area;
- (b) details of proposals for landscaping;
- (c) proposals for the retention of existing landscape or townscape features of value on the site;
- (d) accordance with the Council's adopted roads guidance and Designing Streets, the Scottish Government's policy statement;
- (e) provision of adequate services; and
- (f) having regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy HER1 - Development which Affects the Character of Conservation Areas**

Development proposals which affect conservation areas will be acceptable where they are sympathetic to the character, pattern of development and appearance of the area. Such proposals will be assessed having regard to Historic Scotland's SHEP and "Managing Change in the Historic Environment" guidance note series.

### **Policy INF6 - Communications Infrastructure**

Proposals for electronic communications infrastructure will be assessed against the following criteria:

- (a) the siting and design of the equipment has regard to PAN62 on Radio Telecommunication;
- (b) there being no satisfactory alternatives;
- (c) appropriate landscaping and screening works being incorporated where necessary; and
- (d) there being no adverse impact, including cumulative, on the built and natural heritage, including the landscape.

## **CONSULTATIONS**

**Head of Environmental and Commercial Services** – A minimum footway width of 1.4 metres should be kept clear between the edge of the footway and the cabinet. This is achieved with the location of this cabinet.

## **PUBLICITY**

The application was advertised in the Greenock Telegraph on 20 October 2017 as a development affecting a conservation area.

## **SITE NOTICES**

A site notice was posted on 20 October 2017 for development affecting conservation area.

## **PUBLIC PARTICIPATION**

Seven objections have been received, six of which are in a standard format. The objectors are concerned that:

- The cabinet would cause an obstruction and reduce the width of the footpath endangering pedestrians and those with prams.
- The area has recently been designated a Conservation Area.
- The cabinet would be unsightly.
- The cabinet would restrict the maintenance of the adjacent garden hedge as an electric hedge trimmer may damage the cabinet or rebound from the cabinet causing injury.
- Whilst the new Services provided by the cabinet are welcomed, the cabinet should be located elsewhere.

## **ASSESSMENT**

The material considerations in the determination of this planning application are the Local Development Plan, Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note series and Policy Statement, Planning Advice Note (PAN) 62, the visual impact within the Conservation Area, the observations of the Head of Environmental and Commercial Services and the written representations. The determining factor is whether the proposal accords with the Development Plan and, if not, whether there are other material considerations to suggest that planning permission may be granted contrary to the Plan.

Local Development Plan Policies RES1 and HER1 combine to seek to safeguard residential amenity and character and to ensure that development proposals are sympathetic to the character, pattern of development and appearance of the Conservation Area. It is further advised by Policy HER1 that proposals require to be assessed having regard to Historic Environment Scotland's "Managing Change in the Historic Environment" guidance note series and SHEP (superseded by the "Policy Statement"). Policy INF6 provides the assessment criteria for telecommunications infrastructure including the provision of broadband services.



The Managing Change in the Historic Environment guidance note advises that “setting” can be important to the way in which historic places or structures are understood, appreciated and experienced. Planning Authorities must take into account the setting of historic assets or places when making decisions on planning applications.

The visual presence of services and utilities within the streetscape is an established and increasing feature of the streetscape to meet public expectation and demand for services. Streetlights, bus stops, directional street signs and service utility boxes are all evident within close proximity. Within the context of the street this small scale cabinet, set against the backdrop of a wall and hedge, combines to satisfy me that the impacts upon residential amenity and the character and setting within the Gourrock West Bay Conservation Area are neutral. It may, therefore, be determined that the proposal is acceptable with reference to the Managing Change in the Historic Environment guidance note on “setting”, Historic Environment Scotland’s Policy Statement in managing the historic environment with intelligence and understanding, and the aims of Local Development Plan Policies RES1 and HER1. I am also satisfied that the proposal is acceptable when assessed against the criteria set out within Policy INF6; there is no adverse visual impact, there is no requirement for landscaping or screening, there are no appropriate alternatives and there is no conflict with the general guidance provided by PAN 62.

Notwithstanding my satisfaction with the submitted design, in order to further safeguard the Conservation Area, I consider it prudent to attach conditions requiring the cabinet to be removed in the event of it becoming redundant and prohibiting the display of any signs, logos or lettering upon it.



Turning to the consultation response and whilst noting the concerns raised in the objection received that the proposed cabinet would cause an obstruction on the footway which may endanger pedestrians, the Head of Environmental and Commercial Services is satisfied with the width of the footway remaining and offers no objections on the grounds of road or pedestrian safety.

Considering the outstanding point raised in the objections received, whilst it is acknowledged that the cabinet will be situated immediately to the front of the existing boundary hedge, given the small scale of the cabinet, I note that it is unlikely to cause any greater difficulty than the existing lamppost which is situated against the hedge. This does not justify the refusal of planning permission.

Overall, I consider that the proposal merits support.

## RECOMMENDATION

That the application be granted subject to the following conditions:

1. In the event that the cabinet hereby approved becomes redundant or obsolete at any time in the future, it shall be removed and the site restored to the satisfaction of the Planning Authority within 2 months of the date at which the cabinet becomes redundant or obsolete.
2. No symbols, signs, letters or logos shall be displayed on any part of the cabinet. Details of any small signage necessary for operational reasons must be submitted to and approved by the Planning Authority prior to display.

### Reasons

1. To ensure the removal of redundant or obsolete equipment in an appropriate timescale, and in the interests of the visual appearance of the Gourock West Bay Conservation Area.
2. To minimise visual intrusion within the Gourock West Bay Conservation Area.

Stuart Jamieson  
Head of Regeneration and Planning

Local Government (Access to Information) Act 1985 – Background Papers. For further information please contact James McColl on 01475 712462.