

Perth and Kinross Council
Development Control Committee – 17 February 2010
Report of Handling by Development Quality Manager

Installation of wireless link equipment at 32 James Square, Crieff, PH7 3EY

Ref No: 09/01856/FLL
 Ward No: 6 Strathearn

Summary

This report recommends approval of the application for the installation of wireless link equipment as the proposal complies with the Development Plan for the area and there are no material considerations apparent which would outweigh the Development Plan in this instance.

BACKGROUND AND DESCRIPTION

- 1 Full planning consent is sought for the installation of wireless Ethernet link equipment unit on the south west elevation of the Perth and Kinross Council Offices at 32 James Square in Crieff. This proposal only requires planning consent due to the recent allocation of Crieff as a Conservation Area and the removal of certain permitted development rights through an Article 4 Direction. There is an associated Listed Building Consent application (09/01857/LBC) as the building is Category B Listed, which is also under consideration to this Committee.
- 2 The link unit is required to provide a wireless link between the Council offices on James Square and the new Crieff High School.

NATIONAL PLANNING POLICY AND GUIDANCE

- 3 No relevant National Planning Policy given the small scale nature of proposal.

DEVELOPMENT PLAN

- 4 The Development Plan for the area comprises the Approved Perth and Kinross Structure Plan 2003 and the Adopted Strathearn Area Local Plan 2001.

Perth and Kinross Structure Plan 2003

- 5 There are no specific policies which relate to the proposal given the small scale nature of the development.

Strathearn Area Local Plan 2001

Policy 2 Development Criteria

- 6 All developments within the Plan area will be judged against a series of criteria including landscape framework capable of absorbing, and if

necessary, screening the development, the scale, form, colour, and density of development, compatibility with its surroundings in land use terms, local road network, sufficient spare capacity in drainage, water and education services, the site should be large enough, buildings and layouts to be energy efficient, where possible be located in those settlements which are the subject of inset maps.

Policy 5 Design

- 7 The Council require high standards of design for all development with encouragement given to the use of good quality materials, energy efficiency, innovative design and good landscape fit.

SITE HISTORY

- 8 No relevant planning history

CONSULTATIONS

- 9 No consultations have been undertaken.

REPRESENTATIONS

- 10 None received

11 Additional Statements

Environment Statement:	Not required
Screening Opinion:	Not required
Environmental Impact Assessment:	Not required
Appropriate Assessment:	Not required
Design Statement or Design and Access Statement:	Not required
Report on Impact or Potential Impact ie Flood Risk Assessment:	Not required

APPRAISAL

- 12 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The determining issues in this case are whether: the proposal complies with Development Plan policy; or if there are any other material considerations which justify a departure from policy. The most relevant policies of the Strathearn Area Local Plan (SALP) in this instance are Policies 2 and 5.

Design/Scale/Visual Impact

- 13 The proposed unit measures 370 x 370mm and is therefore small scale in nature. It is to be fitted adjacent to an existing window opening on the south west elevation, some 11 metres up the elevation close to the top of the

building. The small scale nature of the unit and its considerable height, will, in my view, negate any visual impact or detrimental effect on the character of the Conservation Area. The Council's Conservation and Regeneration Section have advised that the unit should be painted to match the colour of the stone on the building to minimise visual impact and that details of the non-corrosive material proposed for the brackets and fixings should also be provided. These will both be requested by planning condition.

LEGAL AGREEMENT

14 Not required.

PLANNING AUTHORITY WITH AN INTEREST IN THE LAND

15 The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 advises on the procedure for notification of planning applications to the Scottish Ministers for developments in which planning authorities have an interest in. The Direction states that notification to the Ministers is only required where the proposal involves a significant departure from the authority's own Development Plan. As the recommendation of approval is not a significant departure from the Development Plan, a notification to the Ministers is not required.

DIRECTION BY SCOTTISH MINISTERS

16 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

17 The proposed Ethernet unit is small scale in nature and situated high on the elevation and therefore is considered not to have any significant impact on the character or appearance of the Conservation Area and as such is considered to comply with Policies 2 and 5 of the Strathearn Area Local Plan 2001. There are no material considerations apparent which would outweigh the contents of the Development Plan in this instance.

RECOMMENDATION

A Approve the application subject to the following conditions:

- 1 The development shall be begun within a period of three years from the date of this consent.
- 2 The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.

- 3 The proposed Ethernet unit and mounting pole and brackets shall be coloured/painted a suitable colour to blend in with the coursed rubble stonework of the building and details of this finish shall be provided for the written approval of the Planning Authority prior to the commencement of development.
- 4 Details of the non-corrosive material proposed for the brackets and fixings shall be submitted for the further written approval of the Planning Authority, prior to the commencement of development.

Reasons:

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.
- 2 To ensure that the development is carried out in accordance with the plans approved.
- 3-4 In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

B JUSTIFICATION

The proposal is considered to comply with the terms of the Development Plan, subject to conditions, and no material considerations exist which would outweigh the contents of the Development Plan.

C PROCEDURAL NOTES

None

D INFORMATIVES

- 1 This consent is approval of application Ref no 09/01856/FLL for planning permission only. It does not include any approval for the related application for Listed Building Consent Ref no (09/01857/LBC). The applicant should therefore not commence work until they have received Listed Building Consent. Carrying out of alterations without Listed Building Consent is an offence.
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act

1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:

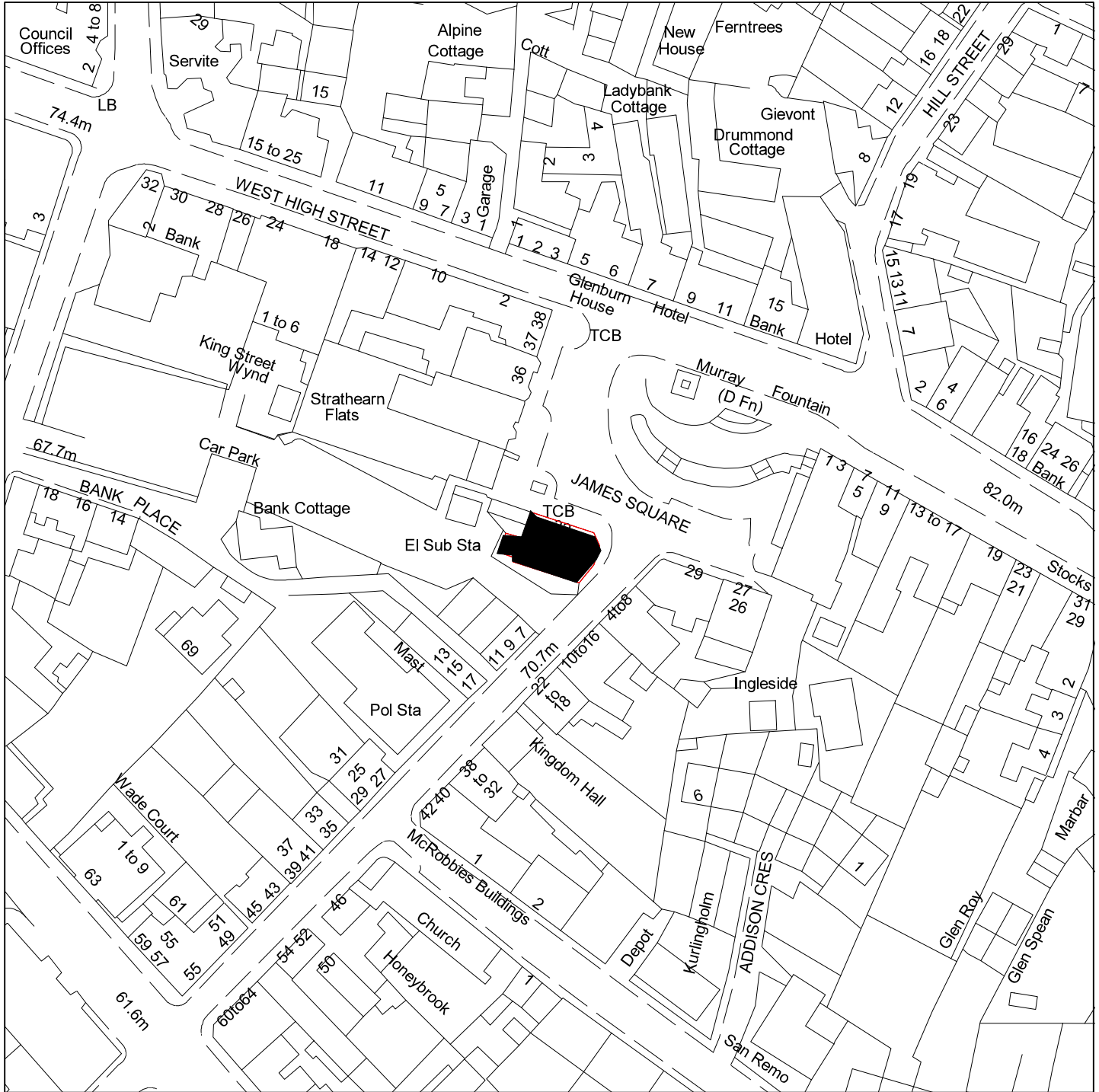
- Displayed in a prominent place at or in the vicinity of the site of the development
- Readily visible to the public
- Printed on durable material.

4 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

Background Papers: None
Contact Officer: John Williamson: Ext 75360
Date: 11 January 2010

Nick Brian
Development Quality Manager

Installation of wireless link equipment, 32 James Square, Crieff



Scale : 1:1250

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Organisation	Perth & Kinross Council
Department	Planning
Comments	
Date	24 December 2009
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