

KEY INFORMATION

Ward Balgowan

Proposal

Erection of 14.5m monopole telecommunications mast including antenna, equipment housing and compound area.

Address

Land at 534B Strathmartine Road
Dundee DD3 9DP

Applicant

Vodafone Ltd
Vodafone House
The Connection
Newbury
Berkshire RG14 1JX

Agent

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Glasgow G3 7QF

Registered 9 Aug 2004

Case Officer E Jones



PROPOSAL FOR A PHONE MAST IN STRATHMARTINE ROAD

The erection of 14.5m monopole telecommunications mast including antenna, equipment, housing and compound area is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed mast is considered to be in accordance with National Planning Guidance and the relevant Council policies. Accordingly it is Recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a telecommunications mast and associated equipment on land to the west of 534B Strathmartine Road. The mast will be 14.5 metres high and have 6 slimline, vertical antennae.
- The application includes the necessary technical certification and a detailed justification for the selection of this site. 18 alternative sites were considered, 12 of which were technically unsuitable. Others were too close to houses, were in too prominent locations or would require the erection of very tall lattice towers to achieve the signals.
- The site is used for a variety of car related businesses. The surrounding area is residential with the nearest house being approximately 20 metres to the west, across Cox Street.
- National Policy Guidance and the relevant Council policies seek operational justification, site selection criteria, mast sharing and use of buildings to be pursued and the visual impact to be minimised.
- 16 objections have been received, 15 are wholly on health grounds. One is on grounds of loss of amenity as well as harmful impact.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a telecommunications mast and associated equipment on land to the west of 534B Strathmartine Road. The proposed mast is a monopole with 6 vertical antennae, the total height would be 14.5 metres. 3 equipment cabinets will be contained within a compound 3.7 metres square, enclosed by a 1.8 metre palisade fence. The application is supported by supplementary information and the necessary technical certificates.

18 alternative sites have been considered but 12 were in locations which did not provide technical cover, others were too close to housing, too prominent a location or would require very tall, lattice towers to achieve the signals.

SITE DESCRIPTION

The site lies within an area of commercial land uses which lies between Cox Street to the west and Strathmartine Road to the east. The yards and workshops are used for car repairs. There is a landscaped tree belt along the western boundary of the area. There is an existing 12 metre high timber monopole with telecommunications antennae, on a similar site, approximately 32 metres to the north. The bus turning area and local shop lies 50 metres to the north west. The surrounding area is residential. The nearest house is approximately 20 metres to the west.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 1998

The following policies are of relevance:

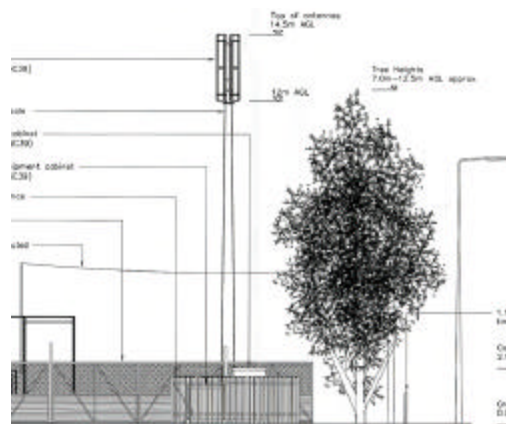
Policy BE31

Proposals for telecommunications developments will be assessed against the following criteria:

- a Proposals will be assumed to carry an operational justification, but in cases where there is good reason to anticipate a general

proliferation and resultant clutter in the local landscape, the planning authority retains discretion to explore this justification.

- b There are no satisfactory alternative sites available.
- c There is no reasonable prospect of sharing existing facilities.
- d For radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure
- e The development should avoid conflict with other policies or proposals of the Local Plan,



Structure Plan, National Guidance etc.

Policy H1: within areas where residential uses predominate, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by reason of design, layout, parking and traffic movement issues, noise or smell.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities. New development should seek to minimise any affect on the environmental quality enjoyed by local residents.

Policy 78: Location of Telecommunications Equipment. This policy has recently been modified in advance of the inquiry on the Plan. In general, operators are encouraged to share existing masts in order to minimise the environmental impact on the city.

Policy 78 also states that the Council's supplementary policies ("Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus") will be a material consideration in the determination of planning applications for telecommunications developments. These policies are referred to below in the section on "Non Statutory Statements of Council Policy".

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guidance 19: Radio Telecommunications

This national guidance emphasises the importance of establishing good communication and trust between operators and planning authorities and encourages pre-application discussions to determine the most appropriate siting and design approaches. It acknowledges the benefits of modern telecommunications and seeks to encourage such development as being essential to a modern economy and contributing to sustainable objectives. It states that health issues are covered by other legislation. It gives advice on the siting and design of masts.

Planning Advice Note 62: Radio Telecommunications

This provides best practice advice on the process of site selection.

Non Statutory Statements of Council Policy

"Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus".

Policies 1, 2 and 3 are of particular relevance and are considered in respect of Policy 78 below.

LOCAL AGENDA 21

Key Theme 7 requires access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all.

SITE HISTORY

01/30332/FUL The erection of a 12 metre high monopole with 3 antennae and associated ground based equipment was approved subject to conditions on 22 November 2001. The application was approved under the terms of the Scheme of Delegation as no objections were received.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 16 objections were received. 6 letters had no addresses. One objection was received from the St Margaret's R C Primary School Board. 15 objections are wholly on the grounds of health risks with one objection on the grounds of loss of residential amenity because of the visual appearance and the harmful impact on the environment and local residents. Copies are available for inspection in the Members Lounges.

These concerns are considered in the Observations section of this Report.

CONSULTATIONS

There were no adverse comments from consultees.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

In terms of Policy BE31 the proposal has an operational justification and alternative sites have been considered

and rejected by the applicants. The site is required to improve indoor coverage and capacity levels to large areas of north Dundee and parts of the A90. Twelve alternative sites were rejected because signal coverage could not be achieved. One tall building in the vicinity was unwilling to locate the equipment on the premises. There is no reasonable prospect of sharing existing facilities as the monopole to the north cannot accommodate further antennae. Mast sharing would require the replacement of that monopole with a taller, lattice structure. The development is acceptable if it does not conflict with other policies in the Local Plan or National Guidance.

Policy H1 specifies that developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by reason of design. It is considered that the antennae will not greatly detract from the visual appearance of the existing site where there is a belt of trees up to 12.5 metres high and street lights of 10 metres high. The nearest houses are approximately 20 metres to the west beyond the trees.

It is concluded from the foregoing that the proposal complies with Policies BE31 and H1 of the adopted Local Plan provided it does not conflict with National Guidance.

Other Material Considerations

The other material considerations to be taken into account are as follows:

Finalised Dundee Local Plan Review

Policy 1 reiterates the advice in Policy H1 of the Adopted Local Plan and it is considered that the proposal complies with this Policy for the same reasons.

Policy 78 encourages mast sharing. However the antenna cannot simply be added to the existing mast. Mast sharing will require a taller, stronger lattice structure to be erected to carry both sets of antennae.

The proposal was assessed in terms of the Council's Non Statutory Policies, which are a material consideration in terms of Policy 78.

Policy 1: there should be an assessment of the operational justification, alternative site, the options for mast sharing or use of buildings and the cumulative impact of

individual proposals where other telecommunications developments are present nearby. This has been provided and is acceptable.

Policy 2: There will be a general presumption against free standing masts and ground based apparatus within or immediately adjacent to residential areas. However exceptions to the general presumption may be made where the proposal is sensitively sited and designed and where the operator has demonstrated that it is the most appropriate location. As detailed above the operator has submitted justification. The site is 20 metres from the nearest house, on the opposite side of Cox Street.

Policy 3: there will be a general presumption in favour of the location of ground-based masts within existing industrial estates and sites allocated for industrial development in the Local Plan provided such proposals;

- i are located and designed so as to minimise their visual impact.
- ii do not prejudice the achievement of the Plan's employment policies.

The site is not an industrial estate or an allocated industrial site but is a long established commercial area used predominantly for car related businesses.

It is considered that the proposal complies with these policies as the applicant has provided a justification for the location and design of the proposal, alternative sites were assessed, the site is in industrial/commercial use and is as far as possible from houses whilst seeking to utilise the partial screening afforded by the adjacent tree belt.

It is concluded that the proposal complies with Policies 1 and 78 of the Finalised Dundee Local Plan Review.

NPPG 19 and PAN 62

These documents give good general advice on the siting and design of masts and the Council's own Non Statutory Policies have similar themes. The documents advise that the siting and design of telecommunications development are the key issues to be addressed through the planning system.

Objections

As detailed above, the main objections relate to health matters. Concerns about health matters have been widely discussed by Government and other bodies. However NPPG 19 clearly advises that it is not necessary for planning authorities to treat radio frequency emissions as a material consideration. To demonstrate to planning authorities that the known health effects have been properly addressed, applications for planning permission involving antennas must be accompanied by a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radio frequency radiation. The applicant has submitted the appropriate certificate in these circumstances.

The Scottish Executive published a report in early July 2004 entitled "Evaluation of Revised Planning Controls over Telecommunications Development".

The report acknowledges that the issue of health concerns would inevitably arise, but specified that the research should not be directed into an extensive discussion of health issues. Whilst the Scottish Executive supports research into the subject of health impacts of mobile telecommunications and recognises the need for more research into the matter, the current position is that there is insufficient evidence that mobile telecommunication development causes a health risk.

Therefore objections on health grounds cannot be supported in this case.

One objection relates to the adverse visual impact of the proposal on the area and the potential harm to the environment and residents. The objector does not want to look at the mast and states that it will be unsightly for the neighbourhood. The objector lives approximately 45 metres away from the mast site and will view it against the backdrop of the tree belt. It is considered that this single objection cannot be supported because of the distance involved and the surrounding trees.

It is concluded from the foregoing that the development is in accordance with the relevant policies in the development plan and is supported by weight can be the material

considerations of the Finalised Dundee Local Plan Review and the Council's Non Statutory Policies. The objections are not considered to be of sufficient strength such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

Design

The design is a slimline monopole with long narrow antennae to reduce the visual impact of the development.

CONCLUSION

It is concluded that the proposal complies with the relevant policies in the Dundee Local Plan 1998, Finalised Local Plan Review and National Policy. A number of objections to the proposal were made solely on health grounds. For the reasons stated above these objections cannot be supported. The application is recommended for APPROVAL subject to conditions.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:-

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 In the event that the equipment becomes obsolete or redundant, it must be removed and the site reinstated to the satisfaction of the City Council within 6 months.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 to protect the amenity of the area