

KEY INFORMATION

Ward Balgillo

Proposal

Erection of 24 metre high cypress tree telecommunications mast and ancillary equipment enclosed by 1.8m high fence

Address

Land To The South of Panmurefield Screening Chambers
Panmurefield Road
Broughty Ferry

Applicant

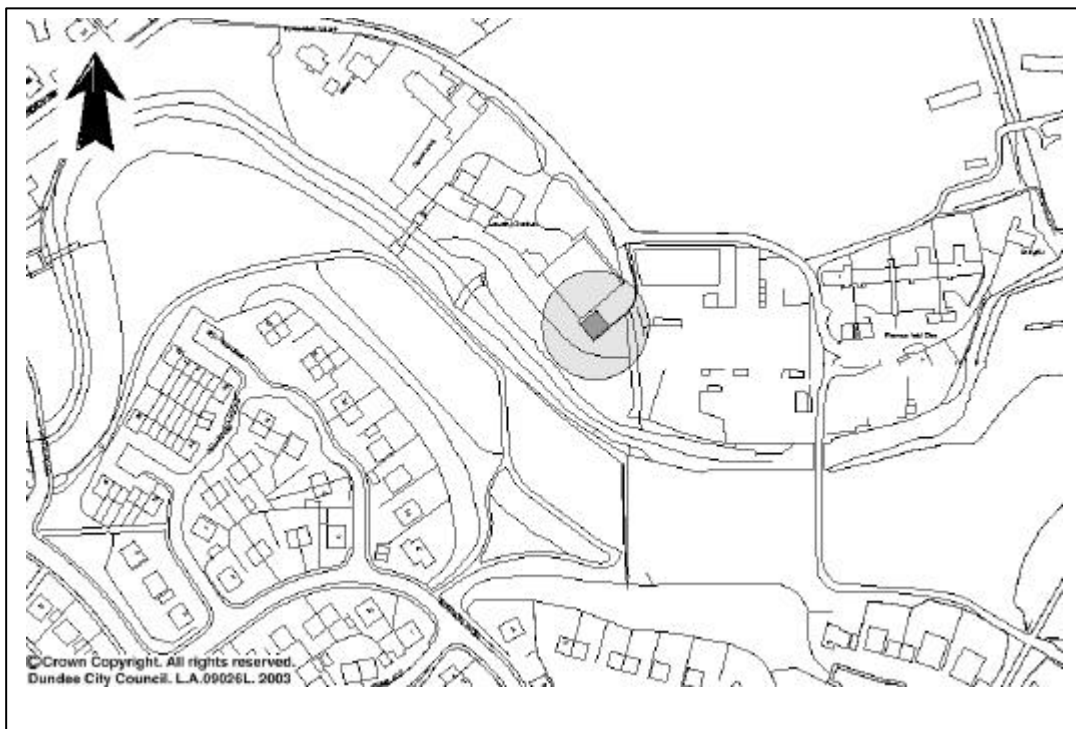
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Registered 14 July 2005

Case Officer C Walker



Mobile Phone Mast Proposed in Panmurefield Road

The Erection of telecommunications mast and ancillary equipment is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with the relevant policies in the Dundee Local Plan Review 2005 and National Policy. Although objections were received, it is considered that they do not carry sufficient weight to justify refusal of the application.

SUMMARY OF REPORT

- Planning permission is sought to erect a telecommunications mast within the Scottish Water compound at Panmurefield in the form of a 24 metres high artificial cypress tree incorporating three 3G antennas.
- The nearest existing and permitted houses are over 100 metres distant but there is an allocated housing site adjacent to the proposed mast.
- Policy 78 of the Dundee Local Plan Review 2005 on the Location of Telecommunications Equipment is of relevance.
- 2 letters of objection were received from nearby residents. The objectors are concerned about the health risks posed by the mast.
- In this case, the proposed stealth tree design where the base of the mast and associated equipment are well screened is an acceptable solution for this sensitive site.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a telecommunications mast in the form of a 24 metres high artificial cypress tree incorporating three 3G antennas. It is also proposed to site a small (1.3 by 0.9 metre) equipment cabinet and an electrical meter cabinet at ground level. A 1.8 m high chain link fence topped with barbed wire will surround the site of all the apparatus, but this in turn will be within the Scottish Water compound.

The mast is required to provide third generation coverage for Vodaphone and plans have been submitted indicating that it will fill gaps in coverage at East Balgillo and Panmurefield Village areas.

The applicants have submitted a supporting statement with plans to justify the proposed development. They state that the design and siting of the mast represent a sensitive solution in what they consider to be an industrial area. They state that the ground based equipment will be screened by existing buildings and enclosures and that the artificial tree will blend in with existing woodland and although it will be higher, its stealth type design will not have a detrimental impact on amenity.

They have considered 4 alternative proposals in the surrounding area, these being a number of street works masts in East Balgillo, Balmossie Viaduct, the Bell Tree public house and the Milton House Hotel. Due to the nature of the surrounding topography these structure would have to be quite high and all are either much closer to existing houses or in the case of the viaduct in the middle of a recreational area. They state that there is no mast sharing opportunity in this area and conclude that the current proposal is the best possible in the circumstances.

The applicants state that the proposals comply with Policy BE31 of the former Dundee Local Plan 1998 and non statutory policies on telecommunications development (now Policy 78 of the Dundee Local Plan Review 2005). Finally they have submitted an ICNIRP certificate indicating that the proposed equipment is in full compliance.

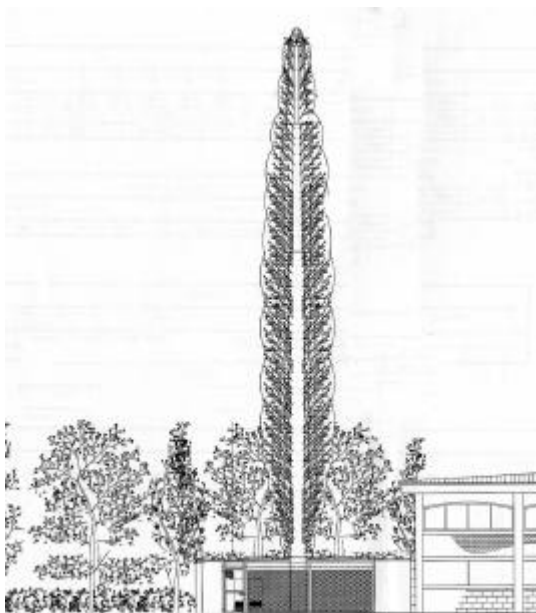
SITE DESCRIPTION

The site is located within the Scottish Water Screening Plant at Panmurefield. The compound is enclosed to Panmurefield Road and to the rear by a 2 metres high decorative block wall and to the south side by chain link fencing. The buildings



within the compound are attractively designed and the main machine room building screens the rear of the site.

Panmurefield Road is a private unmade laneway at this location which serves the Screening Plant and some



10 houses .

The actual location for the proposed mast is in an area of the compound to the south of the main building which is enclosed by block walls. This part of the site is not visible from Panmurefield Road and can only be glimpsed through the trees in the area of woodland immediately to the south.

This woodland comprises self seeded deciduous trees approximately 8 metres in height.

There are also self seeded trees along the other boundaries of the site. On the opposite side of the road is former agricultural land acquired for a wastewater treatment plant (which will not now be built) and which is now allocated as a housing site. To the north of the compound is a disused building which has consent for the formation of 2 dwellings. To the west is the Dighty valley and public open space.

The nearest existing and permitted houses are over 100 metres distant from the site of the proposed mast. However the allocated housing site is adjacent to the site of the proposed mast, including the woodland to the south of this site and the land across Panmurefield Road.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

Policy 78: Location of Telecommunications Equipment is applicable. In general, operators are encouraged to share existing masts in order to minimise the environmental impact on the city. Where mast share is not feasible alternative solutions will be assessed with the objective of minimising the environmental impact on the city. The policy adds that the Councils supplementary guidance on masts will be a material consideration.

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, referring to PAN62.

Planning Advice Note 62: Radio Telecommunications

This provides best practice advice on the process of site selection and design and illustrates how the equipment can be sensitively installed.

Non Statutory Statements of Council Policy

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

The following are of particular relevance:

Policy 1: There should be an operational justification for the location and design of the proposal including an assessment of the cumulative impact of individual proposals where other telecommunications developments are present nearby.

Policy 2: There is a general presumption against the siting of free standing masts within or adjacent to existing residential areas or sites allocated for residential development in the Local Plan. However exceptions may be made where the proposal is sensitively located and designed.

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

There is no relevant history of planning applications relating to this site.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 2 letters of objection were received from nearby residents. The objectors are concerned about the health risks posed by the mast.

Copies of the letters are available for inspection in the Members Lounges

and the concerns raised are considered in the Observations section of this Report.

CONSULTATIONS

No comments on the development were received from Statutory 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.

The criteria set out in Policy 78 of the Dundee Local Plan Review 2005 focus on visual amenity matters and in particular promote mast sharing and masts on buildings. Difficulties are increased by the fact that Third Generation coverage is based on much smaller cells involving more masts much closer to each other. In this case, the cell area is characterised by low rise residential development in undulating topography with no opportunities for mast sharing. The few non residential uses are also low rise and very close to housing. Any ground based mast in this area would be visually intrusive, and for this reason the applicants have chosen a stealth type solution, designing the mast as an artificial cypress tree.

The actual siting of the mast in an existing water services building compound means that the ground based equipment will be screened. It also means that the proposed mast will be physically separated from the nearest houses by a considerable distance (over 100 metres for existing houses).

In terms of the details of Policy 78, the proposal has an operational justification and alternative sites have been considered by the applicants but these have had to be rejected because

they were less visually acceptable. It therefore also complies with Policy 1 of the Council's Non Statutory Policies, which are a material consideration in terms of Policy 78.

Policy 2 contains a general presumption against the siting of free standing masts within or adjacent to sites allocated for residential development in the Local Plan. In this case the land adjacent to the site is allocated for housing under Proposal H65. However exceptions may be made where the proposal is sensitively located and designed. In this case the proposed stealth tree design where the base of the mast and associated equipment are well screened is an acceptable solution for this sensitive site. Although the artificial tree will be higher than surrounding vegetation, it is sited in an area of undulating ground and will not be visually incongruous against the backdrop of trees.

It is concluded from the foregoing that the proposal complies with Policy 78 of the Dundee Local Plan Review.

Other Material Considerations

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

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. The proposal completely conceals the function of the mast and is located in an area where it is well screened.

Objections

There have been 2 letters of objection which focus on concerns about health risk. 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.

It is for this reason that 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 and an operational justification for their proposed mast. Therefore insufficient weight can be placed on the concerns about health matters in this case.

It is concluded from the foregoing that insufficient weight can be accorded to the grounds of objection 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 proposed mast is designed to appear like a cypress tree and contains no visible antennae. All ground based equipment will be screened by the walls of the existing compound. It is therefore considered that the proposed structure is the most visually acceptable solution for this location.

CONCLUSION

It is concluded that the proposal complies with the relevant policies in the Dundee Local Plan Review 2005 and National Policy. Although objections were received, it is considered that they do not carry sufficient weight to justify refusal of the application.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following condition(s):-

- 1 The development hereby permitted shall be commenced within five years from the date of this permission

- 2 In the event that the development hereby permitted ceases to be used for the purposes for which it was designed, it shall be removed from the site within 2 months of the date it ceased to be used, and the site shall be reinstated to its state prior to implementation of the proposal or such other state as may be agreed in writing with the Council

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure the satisfactory reinstatement of the site.