

KEY INFORMATION

Ward Claverhouse

Proposal

Erection of replacement 12.5m high telecommunications mast accommodating 3 No. tri-band antenna and erection of 1 No ground based equipment cabinet

Address

Claverhouse Industrial Estate East
Charles Bowman Avenue
Claverhouse West Industrial Estate

Applicant

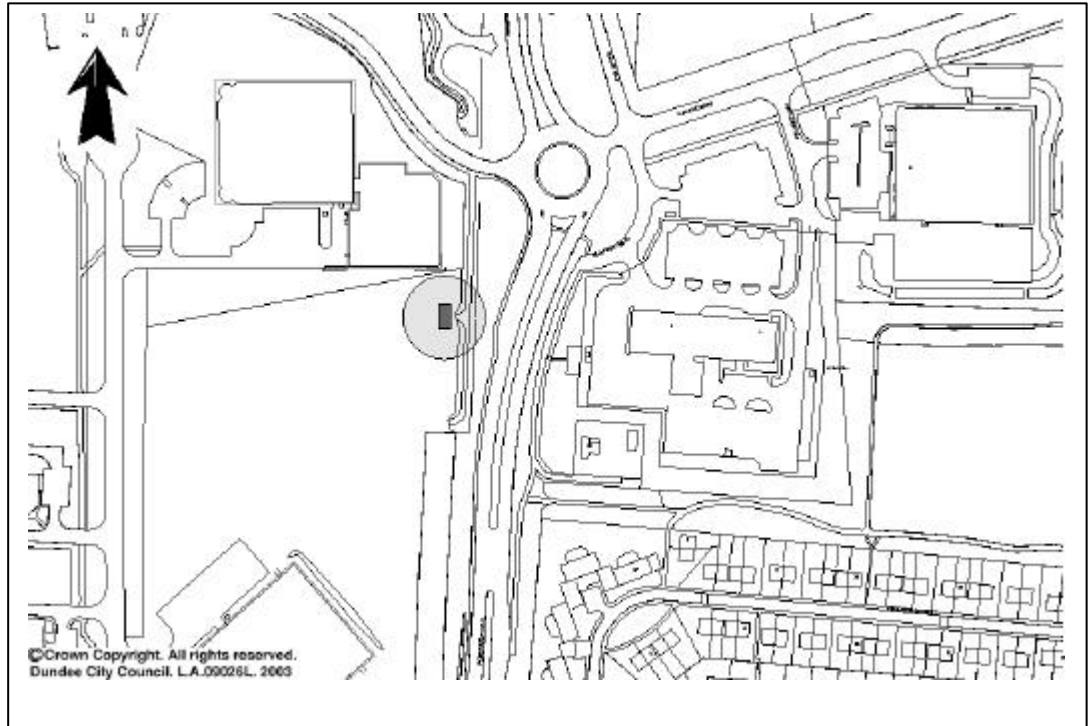
O2 (UK) Ltd
c/o Stappard Howes
122 Dundyvan Road
Coatbridge ML5 1DE

Agent

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122 Dundyvan Road
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Registered 11 August 2005

Case Officer S Cooper



Replacement Phone Mast Proposed at Forfar Road

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

RECOMMENDATION

The proposed development complies with Policy 78 of the Dundee Local Plan Review 2005. Although an objection has been received it is considered that it does not carry sufficient weight to justify the refusal of this application. The application is therefore recommended for APPROVAL.

SUMMARY OF REPORT

- Planning permission is sought by O2(UK) Ltd for the erection of a replacement 12.5m high monopole and the erection of a new equipment cabinet on land to the west of the A90 at Claverhouse Industrial Park.
- Policies 1 and 78 of the Dundee Local Plan Review 2005 are of relevance as are the Government guidance and advice contained in NPPG19 and PAN62.
- One objection has been received to the application. The grounds of objection are that the proposed replacement monopole would be located in close proximity to the Mill o'Mains Primary School and that this may raise health concerns for the children attending the School.
- The proposal has an operational justification and the applicant has submitted a list of alternative sites that were considered. It is considered that the proposed replacement monopole would have less impact on the visual amenity of the area than the alternative sites.

DESCRIPTION OF PROPOSAL

Planning permission is sought by the applicant O2 (UK) Ltd for the erection of a replacement 12.5 metres high telecommunications monopole on a grassed strip of land on the west side of the A90 in the Claverhouse Industrial Estate. The existing monopole was approved by the grant of planning permission under reference 04/00769/FUL on the 26th January 2005, under delegated powers. The proposed replacement monopole would be erected in the same position as the existing one.

The proposed replacement monopole would accommodate 2G and 3G antennas. The proposed replacement monopole would be similar in height to the existing one but would be thicker and would also have a thicker headframe. It is also proposed to erect a new equipment cabinet. The proposed equipment cabinet would measure 2 metres in height, 2.3 metres in length and 800mm in width, and as such it would be larger than the existing cabinets. The proposed replacement monopole and new equipment cabinet would be painted a dark green colour.

The applicants have submitted a supporting statement with coverage plans to justify the proposed development which is to provide improved 3G coverage to the Fintry area of the city as well as the A90 road.

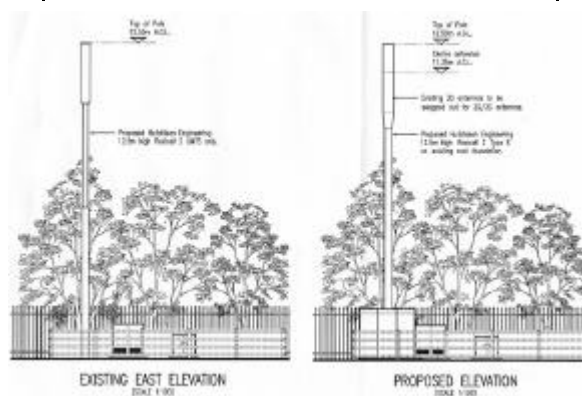
The applicant has considered 4 alternative sites. The applicant lists and comments on the alternative sites as follows;

- 1 The applicant considered sharing a mast at Transco, nearby. However, following consultation with Transco regarding the use of the mast, the applicant was informed that it was to be decommissioned. The mast has now been decommissioned.
- 2 Redevelopment of '3' mast. The existing '3' mast is located some 60 metres south of the application site. The existing '3' mast is a slimline telegraph pole style mast and would require significant redevelopment to enable it to accommodate the proposed O2

equipment. The applicant states that the redevelopment required would require a mast of a larger scale than the proposed replacement of the existing O2 mast. Therefore sharing the existing '3' mast would have a greater visual impact on the



- area.
- 3 New ground based mast in Claverhouse Industrial Estate. National guidance and advice given in NPPG19 and PAN62 seeks to avoid the erection of new ground based mast where suitable alternatives exist. A new ground based mast may be seen as a proliferation of masts in the area. Given the opportunity to redevelop the existing O2 mast with a minimal visual impact on the area, a new ground based mast was not considered appropriate.



- 4 The applicant also considered sharing a new mast proposed by Vodafone to the south of the application site. This was discounted for the same reasons as sharing the existing '3' mast.

Furthermore, planning permission (ref: 05/00568/FUL) for that proposed Vodafone mast was refused by the Council on the 29th August 2005.

The applicant therefore contends that the proposed replacement of the existing monopole with a slightly thicker structure would have a minimal impact on the visual amenity of the area.

SITE DESCRIPTION

The application site is located on a grassed strip of land on the west side of the A90 between two large industrial buildings in the Claverhouse West Industrial Estate. To the west of the site is vacant land that is defined as a Principal Economic Development Area by Policy 24 of the Dundee Local Plan Review 2005. There is a belt of semi-mature trees along the west side of the A90 road. There is an existing replica telegraph pole telecommunications pole operated by '3' some 60 metres to the south of the application site.

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

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.

In general, operators are encouraged to share existing masts in order to minimise the environmental impact on the city.

Where the operator can demonstrate to the satisfaction of Dundee City Council that mast share is not a feasible proposition, then alternative solutions in terms of location and design, will be assessed with the objective of minimising the environmental impact on the City.

This Policy 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.

Scottish Planning Policies, Planning Advice Notes and Circulars

National Planning Policy Guideline 19
Radio Telecommunications

NPPG 19 emphasises the importance of establishing good communication and trust between operators and planning authorities and encourages pre-application discussions to determine 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 PAN 62.

Planning Advice Note 62 Radio Telecommunications

PAN 62 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

The Council's "Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus" is relevant.

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 3: There will be a general presumption in favour of ground-based and rooftop telecommunication masts and related apparatus 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 objectives of the Plan's employment policies.

Policy 13: Subject to the policies of the Dundee Local Plan and these guidelines, ground based masts and structures adjacent to the City's ambassador routes and "gateways" may be acceptable provided these do not adversely impact on proposals for environmental improvement works, are slimline, innovative in their design and not capable of mast sharing.

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. It is considered that the proposed development meets with the aims of Key Theme 7.

SITE HISTORY

Planning permission was granted under reference 04/00769/FUL for the erection of a 12.5m monopole and equipment cabinets on 26 January 2005. Conditions were imposed on that grant of planning permission to ensure that the monopole and cabinets were painted to blend in to the surroundings and to ensure that a scheme of planting was agreed in order to protect the visual amenity of the area. Planning permission was granted under reference 03/00129/FUL on the 22nd of April 2003 for the erection of a 12m high telecommunications telegraph pole, some 60 metres south of the application site. That mast has been erected on the site and is operated by '3'. An application was submitted by Vodafone (ref 05/00568/FUL) in June 2005 for the erection of a 12m high timber telegraph pole style telecommunications mast on land to the south of the existing '3' telegraph pole mast. Planning Application 05/00568/FUL was refused by the Council on the 29th August 2005 on the basis that the cumulative impact of proposed mast and the two existing masts in the vicinity would result in a proliferation of masts in the area.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification. One objection has been received via E-mail.

The grounds of objection relate to the proximity of the proposed replacement mast to the Mill O'Mains Primary School and potential health issues that the monopole may raise for the children attending the School.

A copy of the objection is available for inspection in the Members' Lounges. It is intended to comment on the issues raised by the objector in the 'Observations' section of this report.

CONSULTATIONS

No comments on the proposed development were received from any 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. In this case there is an existing mast to the south and a further mast is proposed to the south of that. However if mast sharing was to be considered, a replacement mast would be required which would be much higher and larger in girth than the monopole promoted through this application. This would be visually unacceptable on this main ambassador route into and out of the City.

The proposal involves the removal of the existing 12.5 metres high monopole and the replacement of it with a new 12.5 metres high monopole. As such the proposal would not introduce a new telecommunications structure into the area and therefore would not result in a proliferation of telecommunications apparatus in the area. The proposed replacement monopole would be

similar in design to the one it would replace although it would be slightly thicker with a larger headframe in order to accommodate 2G and 3G antennas.

Although the proposed monopole would be thicker than the one it would replace it would not be such a bulky structure as to have a detrimental impact on the character and appearance of the area. The applicant proposes to paint the proposed monopole and cabinets a dark green colour (RAL 6009) to blend in with the surrounding area. The proposed equipment cabinet would be screened from public views by the semi-mature trees it would be positioned behind.

In terms of the details of Policy 78, the proposal has an operational justification and 4 alternative sites have been considered by the applicants but these have had to be rejected because they were visually less acceptable.

The proposal was assessed in terms of the Council's Non Statutory Policies, which are a material consideration in terms of Policy 78. The proposal complies with Policy 1 as the applicant has provided an operational justification for the location and design of the proposal, alternative sites were assessed and the visual impact is acceptable.

In terms of Policy 3 the proposed replacement monopole and new equipment cabinet would not prejudice the achievement of the objectives of the Plan's employment policies and as stated above is located and designed to minimise its visual impact. Therefore the proposal is in accordance with this Policy.

Policy 13 specifies that ground based masts may be acceptable on ambassador routes, subject to being suitably designed. The proposed mast will be similar in design terms to the one it would replace, although it would be a thicker structure. It is designed to resemble street furniture in appearance and is of a design that cannot be shared by other operators. This is in accordance with the Policy.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

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 (there are no visible antennae) and as the replacement of an existing mast would have a minimal visual impact on the area.

Objections

One objection has been received in respect of this application. The grounds of objection relate to the proximity of the mast to the Mill O'Mains Primary School and the potential health issues this may raise for children at the School.

As stated in paragraph 53 of NPPG 19 the planning system should not be used to secure objectives that are more properly achieved under other legislation. Emissions of radiofrequency radiation are controlled and regulated under the appropriate legislation by the DTI and the Radio communications Agency. The Health and Safety Executive also have responsibilities. 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 radiofrequency radiation. With these measures in place the Scottish Executive concludes that it is not necessary for Planning Authorities to treat radiofrequency emissions as a material consideration. The applicant has confirmed in writing that the proposed installation would conform to the ICNIRP guidelines for public exposure to radiofrequency radiation.

A report entitled "Evaluation of Revised Planning Controls over Telecommunications Development" was published by the Scottish Executive in July 2004. 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 further research into the matter, the current position is that there is insufficient evidence that mobile telecommunications development causes a health risk. Therefore the objection on health grounds cannot be supported.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission. It is therefore recommended that planning permission is granted with conditions.

Design

The proposed monopole would be similar in terms of design to the one that it would replace, albeit it would be slightly bulkier. It is designed to appear like street furniture and would be painted to blend in with its surroundings. The design of the mast would conceal all of the antennas. The proposed replacement mast would have less visual impact than if one of the other existing or proposed masts in the area was to be redevelopment to accommodate the additional apparatus. The proposed equipment cabinet would be screened from public views by the semi-mature tree it would be positioned behind. It is therefore considered that the proposal is acceptable in design terms.

CONCLUSION

It is considered that the proposed replacement monopole and new equipment cabinet accord with the provisions of the development and that there are no material considerations that would justify the refusal of planning permission. It is therefore recommended that planning permission is granted subject to conditions.

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 telecommunications equipment hereby approved becomes obsolete or redundant it must be removed and the site reinstated to the satisfaction of the planning authority within 2 months of the equipment ceasing to be used.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to ensure that redundant telecommunications equipment do not contribute to roadside clutter and to ensure satisfactory reinstatement of the site.