

**KEY INFORMATION**

Ward The Ferry

**Proposal**

Erection of a 17.5m tall replica telegraph pole to accommodate Vodafone and O2 antenna within GRP shroud plus 2 ground level cabinets within close boarded fenced compound

**Address**

Land to South of School  
Fintry Place  
Broughty Ferry

**Applicant**

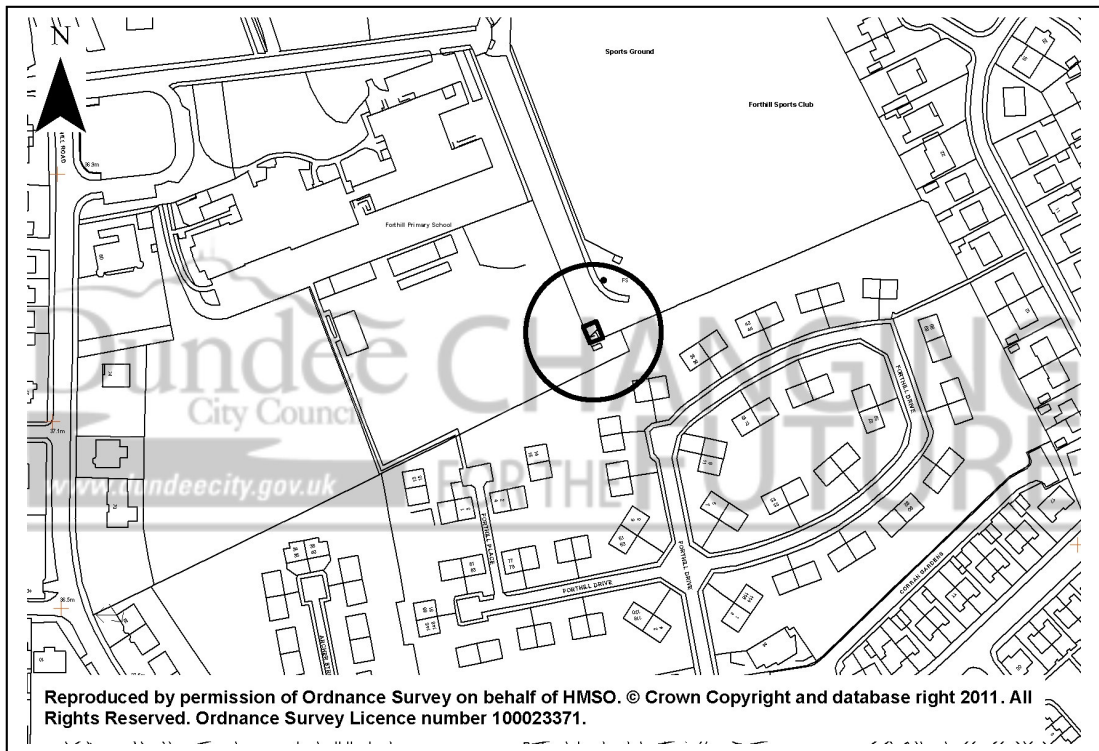
Vodafone/O2 UK  
The Connection  
Newbury  
Berkshire RG14 2FN

**Agent**

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A & K Solutions Ltd  
31 Churchill Drive  
Bishopton PA7 5HF

Registered 10 Jan 2011

Case Officer Paul Macari



# Telecommunications Mast at Forthill Sports Club

The erection of a 17.5m tall replica telegraph pole to accommodate Vodafone and O2 antenna within GRP shroud plus 2 ground level cabinets within close boarded fenced compound is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of City Development.

**RECOMMENDATION**

The proposals comply with the requirements of the Development Plan. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold planning permission. It is therefore recommended that the application is **APPROVED** subject to conditions.

**SUMMARY OF REPORT**

- This application seeks planning permission for the installation of a 17.5m high replica telegraph pole dual user monopole supporting Vodafone and O2 antenna and 2 equipment cabinets enclosed within a 2m high close boarded fenced compound on land to the south of Forthill Primary School, Fintry Place, Broughty Ferry, Dundee.
- Policy 1 (Vibrant and Sustainable Communities), Policy 66A (Protection of Playing Fields and Sports Pitches) and Policy 78 (Locations of Telecommunications Equipment) of the Dundee Local Plan Review 2005 and the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006 are relevant to the outcome of this planning application.
- 46 letters of objection have been received from neighbouring residents and parents and family members of pupils attending Forthill Primary School.
- The concerns raised relate directly to the potential health implications of locating a telecommunications mast in close proximity to a primary school. Other concerns raised relate to the design of the proposed mast, its impact upon the Forthill Conservation Area, property prices and that it is contrary to the requirements of Policy 78 (Locations of Telecommunication Equipment) of the Dundee Local Plan Review 2005. The Concerns of the objectors are not supported.
- The proposals comply with the requirements of Policy 1(Vibrant and Sustainable Communities), Policy 66A (Protection of Playing Fields and Sports Pitches) and Policy 78 (Locations of Telecommunications Equipment) of the Dundee Local Plan Review 2005 and the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

## DESCRIPTION OF PROPOSAL

This application seeks planning permission for the installation of a 17.5m high replica telegraph pole dual user monopole supporting Vodafone and O2 antenna and 2 equipment cabinets enclosed within a 2m high close boarded fenced compound on land to the south of Forthill Primary School, Fintry Place, Broughty Ferry, Dundee.

The proposals involve a dual operator telecommunications installation whereby Vodafone and O2 are systematically removing and upgrading their existing installations across the City.

The Applicant has submitted a detailed site selection report as well as supporting information relating to the design of the proposed telecommunications installation. This application is also accompanied by the required ICNIRP certification.

In accordance with the Council's scheme of delegation this application requires to be reported to the Development Management Committee as 46 letters of objection have been received from neighbouring residents and relatives of pupils attending Forthill Primary School.

## SITE DESCRIPTION

The application site is located within the playing fields of Forthill Sports Club to the south of Forthill Primary School and north of Forthill Drive. The application site shall be accessed from within Forthill Sports Club.

The application site is not visible from Forthill Road due to a dense tree belt and the scale and massing of Forthill Primary School.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

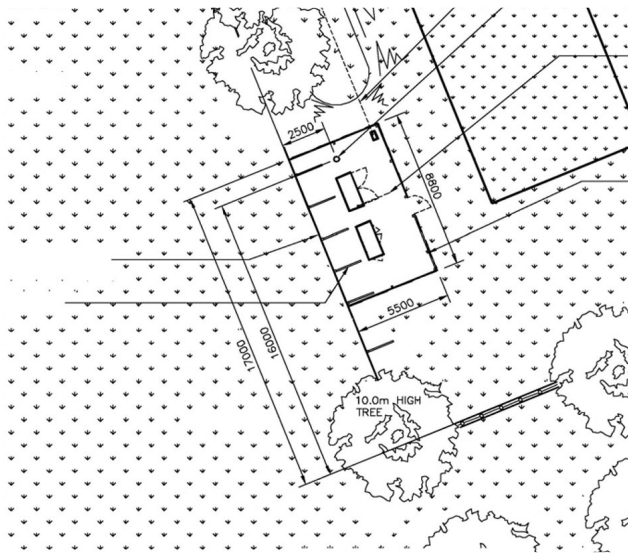
There are no policies relevant to the determination of this application.

### Dundee Local Plan 2005

The following policies are of relevance:

Policy 1: (Vibrant and Sustainable Communities) - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 66A: (Protection of Playing Fields and Sports Pitches) - there is a presumption in favour of retaining playing fields and sports pitches in Dundee. They should not be redeveloped unless the Council is satisfied that they are no longer required for their original purpose and



there is a clear long term excess of pitches, playing fields and public open space in the wider area, having regard to the site's recreational and amenity value plus the needs of future generations. In addition the following criteria must also be satisfied:

- a the proposals affect part of the site that has lesser sports and amenity value and will improve the sports, recreational and amenity value across the remainder of the site (eg grass pitches will be replaced on-site with an all weather surface); or
- b compensatory open space of at least equal benefit and accessibility will be provided in or adjacent to the community most directly affected, resulting in an overall improvement to existing facilities and the amenity of the area (eg relocating existing pitches to a more central location

within the community most directly affected; or

- c development plans require the site for an important, strategic development, following examination of all possible alternative sites, and replacement provision of equal community benefit will be created in or adjacent to the community most directly affected.

Proposals must be consistent with policies elsewhere in the Plan and must not adversely affect the character or setting of an Historic Garden or Designed Landscape. Replacement provision must be made available in a playable condition before the existing facilities become unavailable. Where this is impractical, developers must provide sufficient justification and the Council will require replacement in the short term to an alternative agreed timetable.

Compensatory arrangements must be secured by applicants to ensure that the sporting needs of displaced users are suitably catered for, to the satisfaction of the Council.

Policy 78: (Location of Telecommunications Equipment) encourages, amongst other things, Operators to share existing masts in order to minimise 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

The following are of relevance:

The Scottish Planning Policy 2010 - 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. The agent for the operator did carry out pre application consultations in accordance with this guidance.

Planning Advice Note 62: Radio Telecommunications - this provides best practice advice on the process of site selection.

### Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

### SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

### SITE HISTORY

There is no planning history relevant to the outcome of this application.

### PUBLIC PARTICIPATION

The Council has followed the statutory neighbour notification procedure outlined in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

46 letters of objection have been received from neighbouring residents and relatives of the children attending Forthill Primary School.

The concerns raised relate directly to the potential health implications of locating a telecommunications mast in close proximity to a primary school. Other concerns raised relate to the design of the proposed mast, its impact upon the Forthill Conservation Area, property prices and that it is contrary to the requirements of Policy 78 (Locations of Telecommunication Equipment) of the Dundee Local Plan Review 2005.

Members will already have had access to the objection letters and it is intended to comment on them in the

Observations Section of the report below.

### CONSULTATIONS

Scottish Water has no objections to the proposed development.

### OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance the development plan unless other material considerations indicate otherwise.

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 consideration of other material considerations.

The mast will accommodate antenna from two operators which will reduce the potential number of masts required to provide the necessary 3G mobile phone coverage to this area of the City.

The proposals therefore satisfy the requirements of Policy 78 of the Adopted Local Plan.

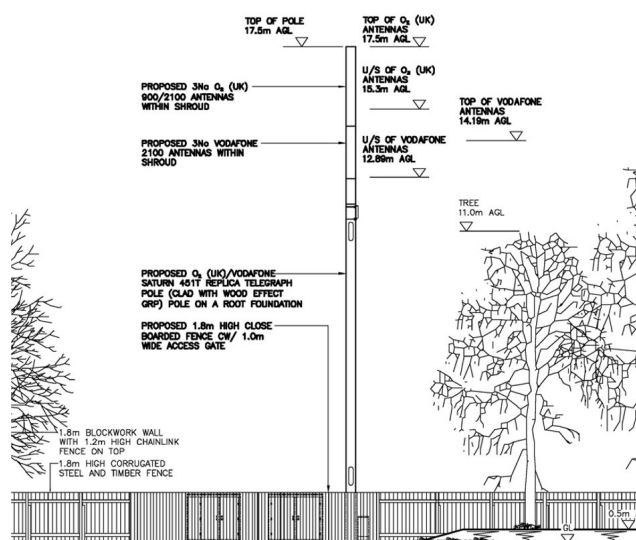
It is the aim of Policy 1 to support commercial proposals within residential areas that seek to minimise any adverse impacts on the level of environmental quality afforded to neighbouring properties by virtue of design, layout, parking and traffic movement issues, noise or smell.

In terms of parking and traffic movements, noise or smell, the proposed telecommunications installation shall not impact upon the level of environmental quality afforded to neighbouring properties.

By virtue of design and layout the proposed telecommunications installation shall not adversely affect the level of environmental quality afforded to neighbouring properties. This is because the proposed telecommunications mast shall be disguised to take on the appearance of a timber telegraph pole. In addition ,the compound in which the telecommunications mast and associated equipment cabinets will be enclosed will be enclosed by a 1.8m high corrugated steel and timber fence.

The telecommunications installation shall be located adjacent to a backdrop of mature trees that shall soften the appearance of the mast and associated ground based equipment from nearby residential premises on Forthill Drive. The proposals satisfy the requirements of Policy 1. However, in the interests of visual amenity the finish of both the telecommunications mast and the site compound shall be controlled by condition should the Committee be minded to grant planning permission.

In terms of Policy 66A the proposed telecommunications installation shall be located on the periphery of the existing playing field at Forthill Sports Club and therefore shall not impact on the functionality of the existing playing field. The proposals satisfy the requirements of Policy 66A.



Policy 78: (Location of Telecommunications Equipment) - 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 the 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.

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 proposals comply with the requirements of the Development Plan.

## Other Material Considerations

### a Supplementary Planning Guidance

Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2006.

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.

The supporting information states that the proposal is to provide 3G network coverage for this part of the City. On average, 3G cells are required to be located between 500 and 1000m of each other. There are no suitable buildings or structures which could accommodate these antenna.

Prior to the submission of this application, a number of alternative sites were investigated and the application property was chosen as the preferred site. The remaining sites which were discounted were:

- 1 Balgillo Road East. This site strikes a good balance between the operational requirements of Vodafone and the various planning considerations of relevance. This option was discounted in favour of the subject site.
- 2 Corner of Nursery Road and Anton Drive. This site strikes a good balance between operational requirements of Vodafone and planning considerations but is discounted in favour of the application site.
- 3 OPCS, (TAY0062) Nursery Road. This site share lies too far east to provide good coverage to the cell area. A development here would therefore leave a deficit remaining within the western sections of the cell which would require the deployment of a further site thus having a cumulative impact on the locale. This location is also too close to an existing O2 site and would therefore result in signal interference issues, therefore

discounted due to technical difficulties.

- 4 Existing O2 Site, Nursery Road. This site lies too far east to provide the required coverage to the cell area.
- 5 Seafield Road and Torridon Road areas. These sites were all discounted due to the residential nature of the sites, the restricted pavement widths and the presence of both overhead and underground services.
- 6 Forthill Primary School. This site was discounted as such proposals have historically been met by community opposition and the resulting impact and disruption this has caused to the workings of the host property.

There is a history of applications for telecommunications masts in Broughty Ferry and through out the City which demonstrate the difficulties faced by the telecommunications operators in identifying suitable sites for masts across the city due to the residential character of the area, the large buildings, the sloping nature of a number of sites, landscape features and the location of existing services below and above the footways. This is demonstrated clearly by the site selection process outlined above and the reasons why the selected sites have been discounted.

Vodafone/O2 propose to erect a 17.5m tall replica telegraph pole to support three Vodafone and three O2 3G antennas within a GRP shroud on the perimeter of Forthill Sports Club grounds, adjacent to Forthill Primary School. The telegraph pole will be 324mm diameter and all antennas will be concealed within timber effect shroud.

The proposed site has been located within the grounds of Forthill Sports Club to avoid locations within residential areas. The site chosen is located to take advantage of existing mature landscaping to act as a backcloth. The operator has identified a location that is away from as many sensitive viewpoints as possible, making best use of the available screening and backdrop provided by the existing trees. Whilst the installation will be viewed by a number of the immediately adjacent properties it will be seen as a simple perpendicular structure with no

outward appearance other than that of a style of telegraph pole.

The applicant's agent has submitted the necessary ICNIRP Certificate with regard to the operation of the mast and a statement of justification in support of the application. Coverage maps have been submitted demonstrating that the application site will enhance the coverage and service provided by Vodafone and O2. The use of alternative sites would have meant additional telecommunications installations within the locality where as mast sharing promotes a reduction in telecommunications installations across the city.

The proposals adhere to the requirements of Policy 1.

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.

It is considered that the operator has demonstrated the difficulties of locating a telecommunications mast in this area and has justified the site selection and mast design process in accordance with this policy.

Policy 7: Public Parks and Public Open Spaces - there will be a presumption against the location of telecommunications masts and related apparatus within areas of open space.

The site is identified as open space in the Dundee Local Plan Review 2005; however, a judgement requires to be made regarding the application of Policy 7 of the supplementary guidance. Policy 7 relates to Public Parks and Public Open Spaces, it does not automatically apply to all sites which are designated in the Dundee Local Plan Review as Open Space. It is considered that the Non-Statutory policy applies to formal parks and formal open spaces used by the public. The application site is located on the periphery of a large playing field owned by a private sports club and therefore while the playing field is not publicly available as such, the telecommunications installation shall not impact upon the functionality of the playing field. Accordingly, it is

considered that Non-Statutory Policy 7 does not apply to this site.

It is considered that the proposal complies with the Council's Non-Statutory Telecommunications Policies.

b National Policy and Guidance.

The proposals comply with the advice contained within the Scottish Planning Policy 2010 and PAN 62 "Radio Telecommunications". This is because the proposals although of a sensitive design and location are part of a dual operator project between Vodafone and O2. Across Dundee existing Vodafone and O2 sites are being upgraded or removed to allow for more sustainable telecommunications operations and wider network coverage for both operators. This project will minimise the number of independent telecommunications installations. The design and location of the proposed telecoms installation shall have no impact on the usability of the existing sports pitches at Forthill Sports Club and the level of visual amenity and environmental quality afforded to Forthill Primary School and surrounding residential properties.

c Views of Objectors

46 letters of objection have been received from neighbouring residents and relatives of the children attending Forthill Primary School.

The concerns raised include:

- Potential Health Implications

The report of the Independent Expert Group on Mobile Phones (IEGMP) which reported in May 2000 concluded that "the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the public exposure guidelines of ICNIRP".

In relation to the planning process, legislation now provides that each application for planning permission involving antennae must be accompanied by a signed 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.

This application is accompanied by the required ICNIRP certification. In this instance, the proposed

telecommunications development shall not pose a significant threat to the health of neighbouring residents, children attending Forthill Primary School or members of Forthill Sports Club.

It is the Scottish Government's view that there should be no need for planning authorities to consider power outputs and their implications for public health. The planning system should not be used to secure objectives properly achieved under other legislation and it is for the DTI and the Radio Communications Agency and the Health and Safety Executive, in their respective roles, to enforce matters relating to telecommunications and health.

In this instance the concerns of the Objectors are not supported.

- Design of the Proposed Mast

The proposed mast is of a modern design that shall mimic the appearance of a telegraph pole. In this instance the proposed telecommunications installation by virtue of design and location shall not adversely affect the level of environmental quality or visual amenity afforded to surrounding properties or the surrounding area. Principally this is because the mast shall not be wholly visible from neighbouring residential properties or from Forthill Road and shall not adversely affect the usability of the Forthill Sports Club playing fields.

In this instance the concerns of the Objectors are not supported.

- Impact on Forthill Conservation Area

The application site is not located within or on the periphery of the Forthill Conservation Area. The proposed telecommunications installation shall therefore have no affect on the character or appearance of the conservation area. The concerns of the Objectors are not supported in this instance.

- Property Value

Property values are not material planning considerations and shall not be taken into account in the assessment of this planning application.

- Contrary to Policy 78 of the Dundee Local Plan Review 2005

The proposals have been assessed against the requirements of Policy 78

(Location of Telecommunications Equipment) of the Dundee Local Plan Review 2005 and the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2006. It has been concluded within the Observations section of this report that the proposals comply in full with the requirements of both the Dundee Local Plan Review 2005 and the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2006. The concerns of the Objectors are not supported in this instance.

There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold planning permission. Accordingly it is recommended that planning permission is granted subject to conditions.

## Design

By virtue of location, scale and design the proposed telecommunications development shall not adversely affect the outlook from Forthill Primary School, the usability of the playing fields at Forthill Sports Club or the level of environmental quality or visual amenity afforded to neighbouring residential properties. In addition the proposed telecommunications mast shall not be visible from Forthill Road.

## CONCLUSION

The proposals comply with the requirements of the Development Plan. The concerns of the Objectors are not supported. There are no other material considerations that would justify laying aside the provisions of the Development Plan to withhold planning permission. It is therefore recommended that planning permission is granted subject to conditions.

## RECOMMENDATION

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

- 1 Prior to the commencement of work on site, details of the finish of the proposed telecommunications mast, equipments cabinets and site compound shall be submitted to

the Council for written approval. Thereafter, the proposed telecommunications mast, equipments cabinets and site compound shall be finished in strict accordance with the details approved by this condition and maintained as such in perpetuity.

- 2 In the event that the equipment becomes obsolete or redundant, it must be removed and the site reinstated to the satisfaction of the Planning Authority within six months of the redundancy.

### **Reasons**

- 1 In the interests of visual amenity.
- 2 To protect the amenities of the occupants/owners of nearby adjacent properties in the locality.