

KEY INFORMATION

Ward Lochee

Proposal

Erection of 15m tall monopole including 6 Vodafone/O2 antenna and 2 600mm transmission dishes plus ground level cabinet with palisade fence

Address

Thomson Park
Napier Drive
Dundee

Applicant

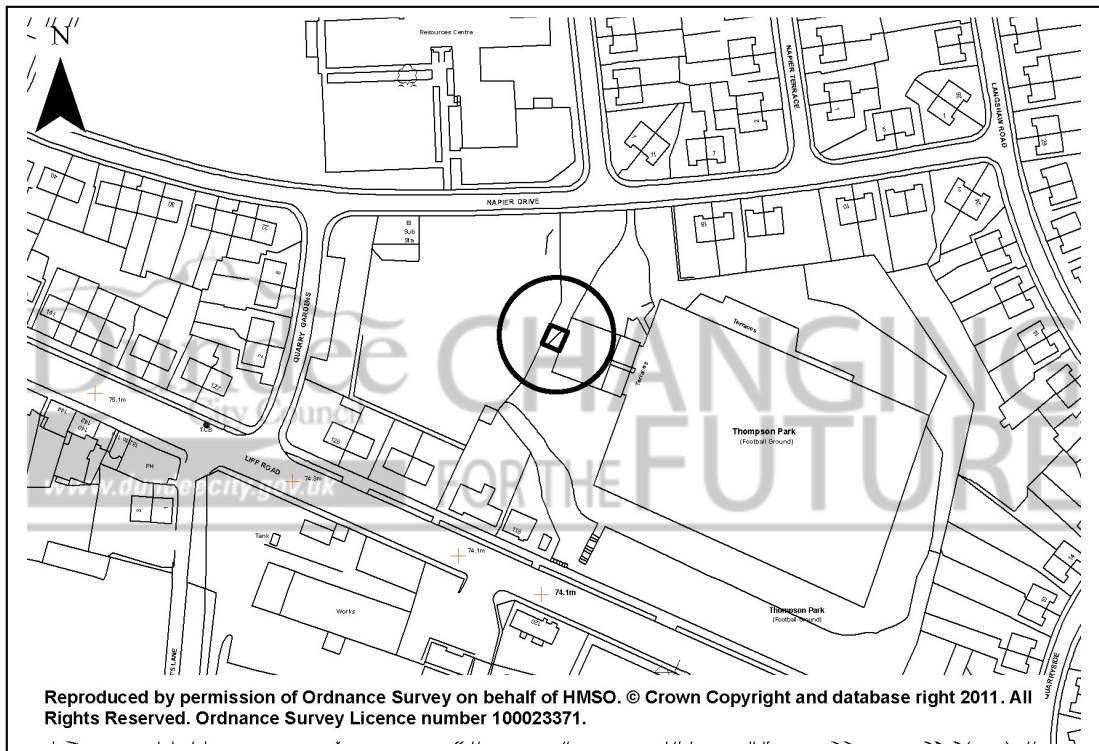
Vodafone/O2 UK
The Connection
Newbury RG14 2FN

Agent

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

Registered 18 Jan 2011

Case Officer P Frickleton



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Telecommunications Mast at Thomson Park

The erection of a 15m tall monopole including 6 Vodafone/O2 antenna and 2 600mm transmission dishes plus ground level cabinet with palisade fence compound is **RECOMMENDED FOR REFUSAL**. Report by Director of City Development.

RECOMMENDATION

The proposed development fails to comply with the relevant policies of the Development Plan. There are no material considerations that would justify the approval of this application contrary to the provisions of the Plan. The application is therefore recommended for **REFUSAL**.

SUMMARY OF REPORT

- This application seeks planning permission to erect a 15 metre high telecommunications monopole including 3 x vodafone antenna, 3 x O2 3G antenna and 2 x 600mm transmission dishes in the grounds of Lochee United Junior FC, Thomson Park, Dundee.
- The proposal falls to be considered under Policy 1 (Vibrant and Sustainable Communities), Policy 66a (protection of Playing Fields and Sports Pitches) and 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.
- The Council has followed the statutory neighbour notification procedure stipulated by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. No letters of objection have been received.
- The application is required to be referred to the Development Management Committee for determination as the site is owned by the City Council.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a 15 metre high telecommunications monopole including 3 x Vodafone antenna, 3 x O2 3G antenna and 2 x 600mm transmission dishes. There will be one associated equipment cabinet together with an electrical meter cabinet. All of the above will be contained within a 1.8 metre high palisade fence compound. Although described as a slimline mast the lack of enclosure for the antennae results in the mast having a bulky appearance which is less visually appealing than the standard monopole design commonly used throughout the city.

SITE DESCRIPTION

The application site is located on the south side of Napier Drive within the grounds of the football club. The mast and equipment is proposed to be located on the eastern boundary of the site to the rear of the stadium building.

To the north of the site lies the Dryburgh Educational Resource Centre and residential properties; residential is the predominant use to the east and south west with structural landscaping to the south separating the football stadium from Liff Road. Immediately to the west of the site lies Quarry Gardens, a windfall housing site identified during the preparation of the Lochee Physical Regeneration Framework as a potential Housing Development Site. A Site Planning Brief has been prepared for the site as supplementary planning guidance to the Dundee Local Plan Review 2005.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

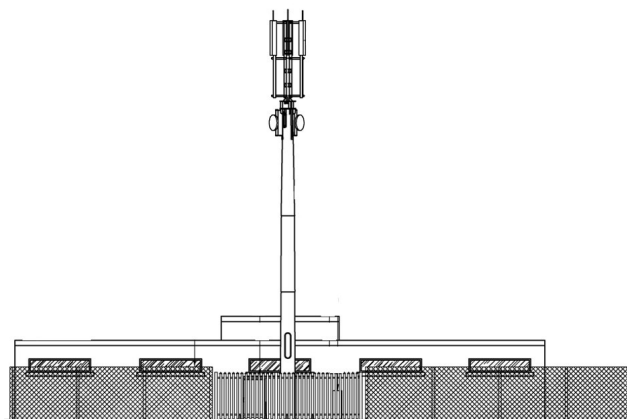
There are no policies relevant to the determination of this application.

Dundee Local Plan Review 2005

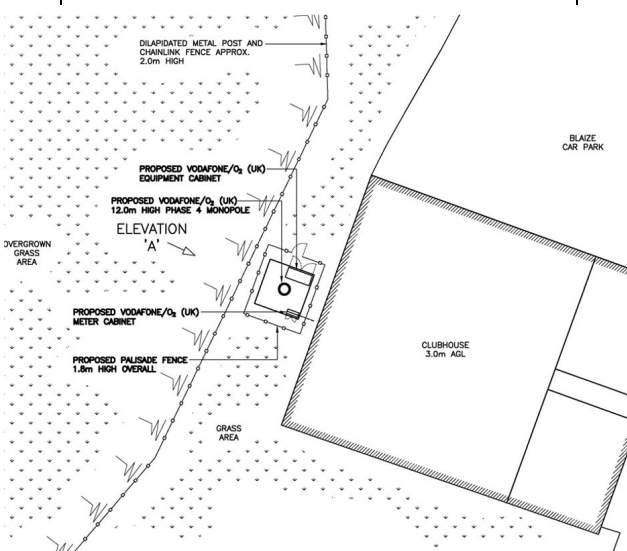
The following policies are of relevance:

Policy 1: Vibrant and Sustainable Communities - 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 values 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 a 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 - 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:

- Scottish Planning Policy (SPP); and
- Planning Advice Note (PAN) 62 - Radio telecommunications.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

"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; a justification against alternative proposals considered and the prospects for mast sharing; and a justification for free standing proposals as opposed to siting apparatus on buildings.

Policy 2: Residential Area. There will be a general presumption against the siting of free standing masts within or immediately adjacent to residential areas unless the proposal is considered to be sensitively located and designed and where the operator has demonstrated that it is the most appropriate from other options investigated.

Policy 7: Public Parks and Public Open Spaces. There will be a presumption against the location of telecommunications masts and related apparatus within existing public parks, existing or proposed public open spaces, play areas, and areas of designed or historic landscape.

Policy 15: Mast Sharing and Design Issues. The Council will encourage opportunities for mast sharing subject to satisfactory location and design.

Site Planning Brief

Land immediately to the west of the application site is a windfall site identified during the preparation of the Lochee Physical Regeneration Framework as a potential housing

development site. A Site Planning Brief has been prepared and approved for the site as supplementary planning guidance to the Dundee Local Plan Review 2005.

SUSTAINABILITY ISSUES

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

SITE HISTORY

There is no planning history relevant to this site.

PUBLIC PARTICIPATION

The Statutory Neighbour Notification procedure was carried out. No objections have been received.



CONSULTATIONS

The Council's Head of Environmental Health and Trading Standards has requested that as the proposed telephone mast and associated cabinet are to be installed in the area of infilled land over the old Camperdown Quarry an advisory note should be attached to the application requesting that the Council be notified in writing of any ground contamination found during construction of the development. This will ensure that the applicants are aware of this restraint and can incorporate this into their design.

OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with 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.

Policy 1: Vibrant and sustainable Communities - the site is adjacent to an existing housing area to the north and south. To the west of the site lies an area of open space which has been identified as a potential housing site by the Council. A site Planning Brief has been prepared and the site is due to be marketed imminently. This policy seeks to protect the environmental quality enjoyed by the local residents. It is noted that the mast is to be located on the eastern boundary of the football club adjacent to the proposed housing site.

The nearest existing houses are 21m away to the south and 32m away to the north, however, the boundary of the new housing site lies only 3m to the east. The proposed location makes best use of the available screening to the south of the site.

The proposed mast is of a functional design with an external array of antennae and dishes which are not contained in a shroud. It is considered that the proposal will be out of character with the area by reason of its design and scale and will have an adverse impact on the

environmental quality enjoyed by local residents. Given the location of the mast within such close proximity to residential properties and sites, further design options should be investigated.

The mast is considered to be insensitively located in such close proximity to the residential area. It is considered that other sites should be considered.

Policy 66A: Protection of Playing Fields and Sports Pitches - the proposed location of the mast, to the rear of the stadium building, will not affect the functionality of the existing sports pitch.

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 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 Council's supplementary guidance on masts will be a material consideration.

The mast will accommodate antenna from two operators which will reduce the potential number of masts required to provide the necessary mobile phone coverage to this area of the city. An assessment of the proposal under the Council's Supplementary Guidance is considered in the Other Material Considerations section of this report below.

It is concluded from the foregoing that the proposal does not fully comply with the provisions of the development plan.

The Council's Supplementary Guidance is considered below in the Material Considerations section of this report.

Other Material Considerations

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

Policy 1: there should be an operational justification for the location and design of the proposal; a justification against alternative proposals considered and a justification for free standing proposals as opposed to siting apparatus on buildings.

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 1,000m from each other.

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 Direct Line Timber, 122 Liff Road

Although the subject was considered, in striking a good balance between the operational requirements of Vodafone and the various planning considerations, this option has been discounted in favour of the subject site. The site lies too far south to provide good coverage to the cell area.

- 2 Aqua Car Wash, South Road
The site lies too far south to provide good coverage to the cell area.
- 3 Existing "3" Mast, Perrie Street
The site lies too far south to provide good coverage to the cell area.
- 4 Frank Kelbie & Son, 148 Liff Road
Insufficient space to accommodate the proposal.
- 5 SW South Road
This area does not form part of the adopted highway; therefore the operator would not have rights to install street furniture at this location.
- 6 Church of Latter Day Saints, Butters Loan
An agreement on mutually acceptable terms could not be reached with the site provider.
- 7 Ettrick Crescent, Dryburgh Crescent, Napier Drive and Langshaw Road Area
The majority of these areas are highly residential in nature with dwellings facing onto the adjacent road networks. As such, the proposed base station would be clearly visible from a significant number of properties. The majority of the adopted footpaths are restricted in terms of pavement width and safety guidelines, which, along with the presence of overhead and underground services, place significant limitations upon potential site options for new street works.
- 8 Buttars Loan, Buttars Road and Donalds Lane Area
The majority of these areas are highly residential in nature with dwellings facing onto the adjacent road networks. As such, the proposed base station would be clearly visible from a significant number of properties. The majority of the adopted footpaths are restricted in terms of pavement width and safety guidelines, which, along with the presence of overhead and underground services, place significant limitations upon

- potential site options for new street works.
- 9 Perrie Street, Gray Street and Greenlee Drive area
The majority of these areas are highly residential in nature with dwellings facing onto the adjacent road networks. As such, the proposed base station would be clearly visible from a significant number of properties. The majority of the adopted footpaths are restricted in terms of pavement width and safety guidelines, which, along with the presence of overhead and underground services, place significant limitations upon potential site options for new street works.

The Supporting Statement refers to the presence of landscaping between the site and Liff Road which will ensure that the site is screened when viewed from the south. Given that the land generally rises to the north these trees will act as a backcloth when viewed from the north.

Sites have been discounted due to the base station being clearly visible from a significant number of properties. This is also an issue with the application site. The elevated position of the mast and base unit will be detrimental to the visual amenity of the surrounding properties on Quarry Gardens and future residents of the adjacent housing site.

This is clearly a difficult location within which to site telecommunications equipment but the applicant has not demonstrated that every possible alternative has been investigated sufficiently rigorously to support the installation of the proposed 15m mast in the location indicated.

Policy 2: Residential Areas. The policy states that there will be a general presumption against the siting of free standing masts within or immediately adjacent to existing residential areas or sites allocated for residential development. However, exceptions to the general presumption may be made where the proposal is considered to be sensitively located and designed and where the operator has demonstrated that the proposal is the most appropriate from other options investigated.

As considered under Policy 1 of the Development Plan, the mast is of a design and scale that is out of character with the area. The insensitive location of the mast in such close proximity to the residential area will have a detrimental impact on the environmental quality of residents. It is considered that further design options and sites should be considered.

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 and goes on to refer to existing public parks, existing or proposed public open spaces, play areas and areas of designed or historic landscape. This listing of types of open space is based on the use of the land rather than the simple designation in the Local Plan. It is considered that the Non-statutory policy applies to formal parks and formal open spaces used by the public. The application site is a private football ground. The site has no formal or informal status as a park or open space. Accordingly, it is considered that Non-statutory Policy 7 does not apply to this site.

Policy 15: Mast Sharing and Design Issues. The Council will encourage opportunities for mast sharing subject to satisfactory location and design. As noted above, the mast does involve mast sharing which makes it larger and more obtrusive, having a detrimental affect on the visual amenity of the local area.

It is concluded that the proposal fails to comply with Policies 1, 2 and 15 of the Council's "Non-statutory Planning Policies in relation to Telecommunications and Other Apparatus".

Scottish Planning Policy (SPP) and Planning Advice Note (PAN) 62 - Radio Telecommunications - the SPP advises that high quality electronic communications infrastructure is an essential component of economic growth across Scotland. Planning Authorities should support the expansion of the electronic communications network, taking into

account the implications of not having full coverage or capacity in an area.

PAN 62 states that options should include installation of the smallest suitable equipment; concealing and disguising masts, mast or site sharing; installation on buildings and existing structures and installation of ground based masts.

The proposal does not comply with the options of concealing and designing masts.

The SPP goes onto advise that planning authorities should not question whether the service to be provided is needed nor seek to prevent competition between operators. To demonstrate that health effects have been properly addressed, applications should be accompanied by a declaration that the equipment and installation is designed to be fully compliant with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation. This application has the appropriate ICNIRP certificate.

For the same reasons as set out in the assessment of the proposals against the relevant policies of the adopted Local Plan, it is considered that the proposals do not fully comply with Government guidance on the siting and design of masts (PAN 62).

Site Planning Brief - the brief proposes a residential development that will provide a mix of house types and sizes on the Quarry Gardens site. The marketing of the site is imminent.

As the proposals lie approximately 3 metres from the eastern boundary of the site it is considered that the design and location are inappropriate and out of character with the surrounding area. It is considered that other designs and locations be investigated.

It is concluded from the foregoing that the material considerations weigh against the proposed development. It is therefore recommended that planning permission be refused in accordance with the Development Plan.

Design

As noted, the 15m high vertical mast has 6 antennas and 2 transmission dishes on the upper section of the pole. The mast will be finished in galvanised steel and the equipment housing in green steel. The mast; cabinet and

electrical meter are all to be contained within a 1.8m high metal palisade fence compound.

The proposed mast is of a functional design with an external array of antennae and dishes which are not contained in a shroud. It is considered that the proposal will be out of character with the area by reason of its design, scale and location and will have an adverse impact on the environmental quality enjoyed by local residents by reason of design and layout.

CONCLUSION

The proposed mast will be 15m tall and contain antenna for 2 separate operators which will provide a 3G service to the local area. Alternative sites were investigated but this was considered by the applicants to be the best solution, given the availability, location or residential nature of some of the surrounding areas. The application site is a football ground within a predominantly residential area. The development fails to comply with policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005, Policies 1, 2 (Residential Areas) and 15 (Mast Sharing and Design Issues) of the Council's own Non-Statutory Policies and the National Planning Guidance.

There were no objections.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reasons:

REASONS

- 1 The proposed development is contrary to Policy 1 - "Vibrant and Sustainable Communities" of the Dundee Local Plan Review 2005 due to the unacceptable adverse environmental impact on the area by reason of the scale, design and location of the structure. There are no material considerations that would justify a departure to the provisions of the development plan in this instance.
- 2 The proposed development is contrary to Policy 1 of Dundee City Council's adopted Non-statutory Planning Policies in Relation to Telecommunications Masts and

Other Apparatus as the applicant has failed to provide sufficient justification for the proposed development and has failed to investigate all alternative sites and designs in order to minimise the visual impact of the proposals.

- 3 The proposed development is contrary to Policy 2 - "Residential Areas" of the Council's adopted Non-statutory Planning Policies in Relation to Telecommunications and Other Apparatus as there is a general presumption against the siting of free standing masts in residential areas unless the mast is sensitively designed and sufficient justification is provided.
- 4 The proposed development is contrary to Policy 15 "Mast Sharing and Design Issues" of the Council's adopted Non-statutory Planning Policies in relation to Telecommunications Masts and Other Apparatus as the scale and design of the shared mast is considered to be out of character with the surrounding area and to be insensitively located in the residential area.