

KEY INFORMATION

Ward West End

Proposal

Replacement of existing flagpole with 14.2 metre high flagpole type telecommunications mast with associated ground based equipment

Address

Balgay Bowling Club
Melville Terrace
Dundee

Applicant

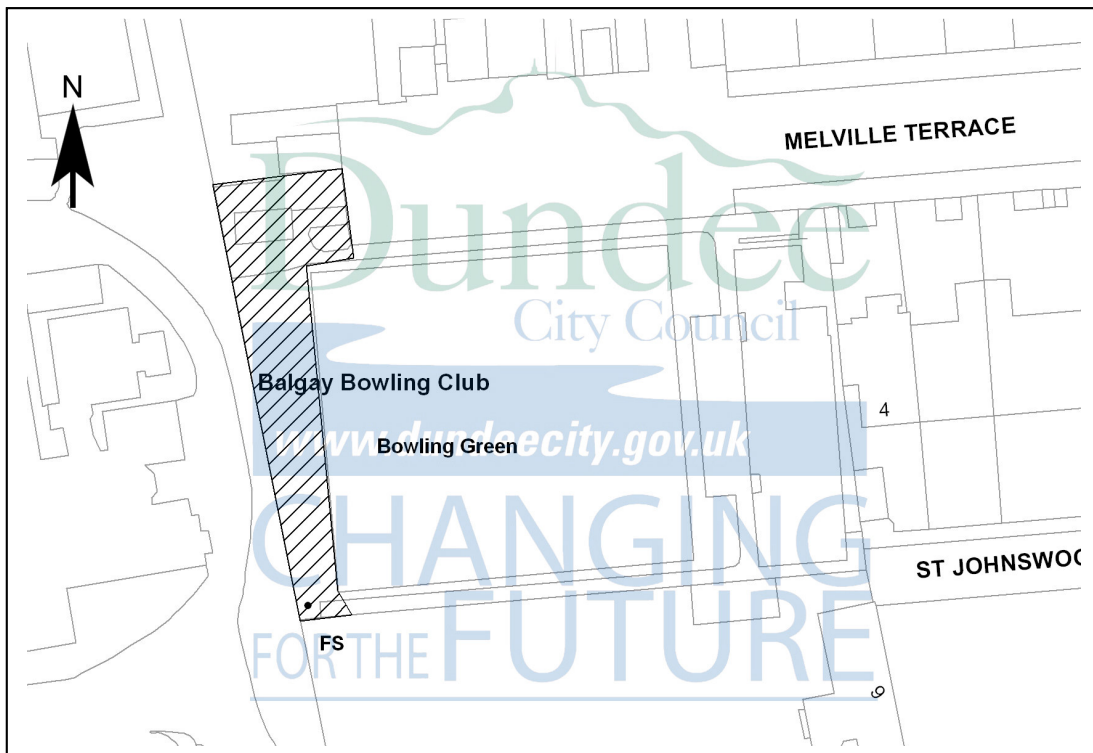
Vodafone Limited
c/o Tyco Electronics
122 Dundyvan Road
Coatbridge ML5 1DE

Agent

Tyco Electronics
122 Dundyvan Road
Coatbridge ML5 1DE

Registered 10 June 2008

Case Officer Eve Jones



Proposed Flagpole Phone Mast at Balgay Bowling Club

The replacement of an existing flagpole with a flagpole type telecommunications mast with associated ground based equipment is **RECOMMENDED FOR APPROVAL subject to conditions**. Report by Director of Planning and Transportation

RECOMMENDATION

It is concluded that the proposal complies with the Development Plan, National Policy and the Council's Non-Statutory policies. It is considered that the objections submitted do not carry sufficient weight to justify refusal of the application. Therefore the application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for a 14.2m high flagpole telecommunications mast at Balgay Bowling Club, off West Park Road, Dundee. It will replace the existing 8m high flagpole. 10 alternatives to locate a mast were considered but were rejected for various reasons. The applicants have submitted an ICNIRP certificate to comply with the relevant guidelines on public exposure to emissions. The site is bounded by residential properties and Fernbrae Private Hospital lies immediately to the west. It lies within the West End Suburbs Conservation Area.
- Dundee Local Plan Review 2005 - Policy 1: Vibrant and Sustainable Communities; Policy 61: Development in Conservation Areas and Policy 78: Location of Telecommunications Equipment all apply as do the Council's "Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus".
- A similar application for a 14 metre high flagpole mast at Broughty Ferry Bowling Club was granted planning permission on appeal in October 2006 and has been installed.
- 4 letters of objection were received from local residents and from Fernbrae Hospital on grounds of visual impact, Conservation Area, contravenes the Local Plan and supplementary guidance and health implications. The objections are not supported.
- It is considered that this discrete, stealth design to replace an existing flagpole complies with the requirements of Council policy and National Planning guidance and that there are no alternative options that would be preferable.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a flagpole telecommunications mast with 3 antennae and 2 ground based equipment cabinets at Balgay Bowling Club premises on Melville Terrace, off West Park Road, Dundee.

The proposed mast will look like a flagpole in all respects, will be coloured white and will be capable of taking a flag. The flagpole will be 14.2 metres high and the 3 antennae within the pole will provide third generation coverage for Vodafone. It will be located in the south west corner of the site, behind the existing scoreboard and will replace the existing flagpole. One of the proposed equipment cabinets which is 1.5 metres high, will be painted green and will be located adjacent to the mast. An electrical meter cabinet will be located adjacent to the existing access gate of the club in the north eastern corner of the site. Neither will be visible from outwith the site

The applicants have submitted a supporting statement in which they suggest that the flagpole has been sensitively designed and will replace an existing 8 metre flagpole in the same position.

They suggest that their proposals are in compliance with National and Development Plan policy, and that the site was carefully selected and the equipment designed to minimise any impact on the surrounding area. They list the following 10 alternatives that they considered but which were rejected for the reasons given.

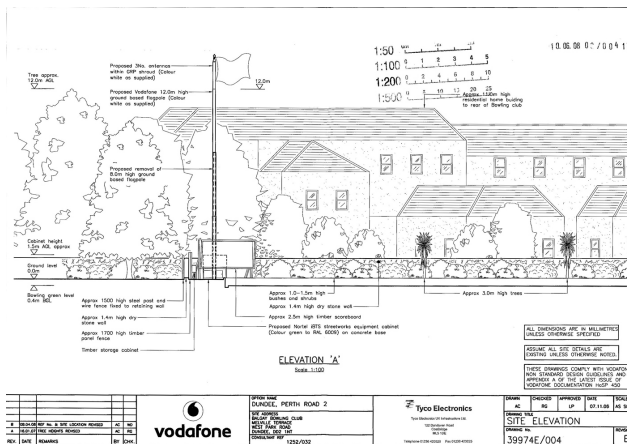
- 1 Western Cemetery: whilst a suitable site was located it was considered to be less appropriate that this site due to the visual impact on the Conservation Area.
- 2 Streetworks solutions along Perth Road: due to topography, buildings and trees, only limited coverage would be provided.
- 3 Harris Academy: low lying site would require larger structure to give coverage, the application site is more acceptable.

- 4 410 Perth Road: despite previous approval on appeal, landlord not willing to accommodate equipment.
- 5 West Park Centre: structural issues with a rooftop installation and ground based mast would need to be large because of trees and buildings, landlord not willing to accommodate equipment.



This Photomontage shows as proposed

- 6 Hillcrest Bowling Club, 372 Blackness Road: replacement flagpole mast but site too high and too far from target coverage area of Perth Road.
- 7 Tennis Club, Grosvenor Road: flagpole mast considered but landlord not willing to accommodate equipment.
- 8 Grosvenor Hotel, 313 Perth Road: previous planning application for chimney



scheme considered but application site considered to be more appropriate planning solution.

- 10 Various trees along Perth Road: consideration given to strapping antennae to existing trees but would encounter signal interference and no willing site provider found.

Finally, the applicants have submitted an ICNIRP certificate indicating that the proposals comply with the relevant guidelines on public exposure to emissions.

SITE DESCRIPTION

The site comprises Balgay Bowling Club to the south of Melville Terrace, off West Park Road. The club occupies a rectangular site bounded on the north by car parking and garages with houses beyond and a terrace of substantial stone houses on the north side of Melville Terrace to the

north east. To the east is a terrace of similar properties fronting St Johnswood Terrace with access also to Melville Terrace and to the south are the large wooded garden grounds of two further residential properties. Fernbrae Private Hospital lies immediately to the west and comprises a large original C listed building with substantial later extensions set within large landscaped grounds.

The club house sits at the eastern boundary of the site and the site is enclosed on the north and west boundaries by stone walls. There is an existing 8m high flagpole on the site which is to be replaced by the proposed mast.

The bowling club is situated within the West End Suburbs Conservation Area.

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 1: Vibrant and Sustainable Communities.

Policy 61: Development in Conservation Areas.

Policy 78: Location of Telecommunications Equipment.

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".

Policy 1: Policy 2 and Policy 11 are all of direct relevance.

SUSTAINABILITY ISSUES

There is no relevant planning history. However a similar application (05/01010/FUL) for a 14 metre high flagpole mast at Broughty Ferry Bowling Club was granted planning permission on appeal in October 2006 and raised many similar issues to this application. The mast has been installed and the applicant has submitted photographs of the Broughty Ferry site in support of this application.

SITE HISTORY

Statutory neighbour notification was carried out and 4 letters of objection were received, 3 from local residents and 1 from the Executive Director of Fernbrae Hospital. The letters of objection state concerns about the visual impact on the Conservation Area, suggesting that the proposal contravenes the Local Plan and the Council's supplementary guidance on masts and the health implications of the mast location particularly in relation to Fernbrae Hospital. These concerns are considered in the Observations section of this Report.

PUBLIC PARTICIPATION

No adverse comment on the proposal was received.

CONSULTATIONS

No adverse comment on the proposal was received.

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.

Policy 1: Vibrant and Sustainable Communities - The site is in an existing housing area and this policy seeks to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell. It is considered that only design is relevant to this application.

The site lies within a well established area of the City characterised by traditional properties, both terraced and detached, set within mature gardens. The site is to the west of the terraced properties of Melville Terrace

and St Johnswood Terrace and should be viewed in the context of the low density, well landscaped setting of the grounds of Fernbrae, the houses to the south and the bowling club itself. The nearest dwellinghouse is 42.8 metres away to the south east. The proposed flagpole is 14.2 metres from the side elevation of Fernbrae to the west and there are trees between the sites which partly screen its appearance.

It is considered that the mast will have the appearance of a flagpole and can function as such, as demonstrated by the similar mast in Broughty Ferry. It is considered that the design and location seek to minimise the impact on the environmental quality enjoyed by local residents as required by Policy 1.

Policy 61: Development in Conservation Areas - Proposals should preserve or enhance the character of the surrounding area. It is considered that the proposals have a neutral impact on the general character of the area and would be accepted as a flagpole at a Bowling Club, a not unusual scenario.

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. The policy adds that the Council's supplementary guidance on masts will be a material consideration.

There are very few approved sites for masts in Perth Road. The applicant has detailed ten alternatives which were considered and discarded for a range of reasons. It is therefore concluded that there are no mast sharing opportunities available for this proposal. The policy also states that where mast sharing is not a feasible proposition, "alternative solutions in terms of location and design will be assessed with the objective of minimising the environmental impact on the City". It is considered that this discrete, stealth design to replace an existing flagpole constitutes an alternative solution which complies with the requirements of Policy 78.

It is concluded that the proposal complies with the Development Plan.

Other Material Considerations

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

"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".

An operational justification has been provided and ten alternatives (listed in the Description of Proposal section of this Report) have been considered and rejected. The policy adds that there should be a justification for the location and design of the proposal and a justification for free standing proposals as opposed to siting apparatus on buildings. In this case the proposed mast is designed as a flagpole. There is already a flagpole at this location within the bowling club premises. Whilst the replacement mast is 14.2 metres as compared to the existing 8 metres it is considered that the proposal will be acceptable visually as the design and scale of the proposed flagpole completely conceals its primary function of accommodating 3 mobile phone antennae. The equipment cabins will be well screened by the existing boundary walls.

Policy 2: "There will be a general presumption against the siting of free standing masts in residential areas. However exceptions can be made where it is considered that the proposal is sensitively located and designed and is the appropriate from other options investigated".

The difficulty with third generation mobile phone masts is that they serve small cell areas and therefore need to be sited in relatively closer proximity to each other when compared to the 2G requirements of existing masts. This problem is exacerbated by the fact that in the west end of Dundee there are no large areas of non residential uses. The topography, the scale of the buildings and the tree cover present particular problems in locating masts. Inevitably, in order to maintain telephone services, as required by their license conditions, operators seek to locate masts in residential areas.

For the reasons mentioned above it is considered that the proposed flagpole

mast is sensitively designed and that there are no alternative options that would be preferable.

Policy 11: "There will be a presumption against the location of ground based masts in conservation areas where by virtue of their location and design, they are considered likely to adversely affect the setting of the conservation area".

For the reasons detailed above, it is considered that the proposed flagpole mast will not have an adverse impact on the setting of the conservation area and is therefore acceptable.

It is considered that the proposals comply with the relevant non-Statutory Policies.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications in conservation areas to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

This matter has already been considered in the assessment of the proposed development under Policies 61 and 78 of the adopted Local Plan and it was considered that the proposal would have a neutral impact on the character and appearance of the adjoining conservation area.

Objections

The concerns about the visual impact of the proposed mast have already been considered in the assessment of the proposed development under Policies 1, 61 and 78 of the adopted Local Plan and it is considered that the proposal would not detract from the amenities enjoyed by neighbours or from the setting of the conservation area.

The application has been considered against the Council's non-statutory policies and it is considered that the proposal complies with their requirements. Objections about the failure to consider other alternative sites are addressed in the list of alternative sites which have been submitted and the reasons why they have been discarded.

Concerns about health have been submitted by all of the neighbours and the Executive Director of the adjoining private hospital who states there are concerns about the impact of this

development on the operation of this hospital. Clients may become anxious as they perceive health risks from the proposed development and chose to be treated elsewhere.

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.

NPPG19 does not suggest that there are any grounds for avoiding siting mobile phone masts close to hospitals. It recognises that there can be a degree of public concern about the siting and design of base stations and therefore stresses the importance of good siting and design and the need to consider alternative sites. This process has been undertaken in this case.

Therefore although the Council is entitled to take concerns about health matters into account, in this case an ICNIRP certificate has been submitted and it is not considered that there are any exceptional circumstances here that would justify refusing the proposed development on health grounds.

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. For the same reasons as set out in the assessment of the proposals under Policy 78 of the adopted Local Plan it is considered that the proposals also comply with Government guidance on the siting and design of masts.

It is concluded from the foregoing that insufficient weight can be accorded to the concerns of the objectors such as to justify the refusal of planning

permission. It is therefore recommended that planning permission be granted.

Design

The mast is designed as a flagpole and due to the presence of an existing, albeit lower flagpole in this location at the bowling club premises, it will not be visually prominent within the conservation area.

CONCLUSION

It is concluded that the proposal complies with the Development Plan, National Policy and the Council's Non-Statutory policies. It is considered that the objections submitted do not carry sufficient weight to justify refusal of the application. Therefore the application is recommended for APPROVAL.

RECOMMENDATION

It is recommended that consent 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 Planning Authority within 6 months of the redundancy.

Reasons

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