

KEY INFORMATION

Ward Whitfield

Proposal

Installation of a 15 metre high monopole accommodating 3 No telecommunications antennas and 3 No transmission dishes with associated ancillary development

Address

Claverhouse Telephone Exchange
Longhaugh Road
Dundee DD4 9QS

Applicant

Crown Castle International
C/o Stappard Howes
The Fountain Business Centre, Ellis Street
Coatbridge ML5 3AA

Agent

5 December 2002

Registered 5 Dec 2002

Case Officer Julie Finlay



Proposed Phone Mast in Longhaugh Road

The installation of a 15 metre high monopole accommodating 3 No telecommunications antennas and 3 No transmission dishes with associated ancillary development is **RECOMMENDED FOR REFUSAL**.
Report by Director of Planning and Transportation

RECOMMENDATION

The proposed mast is located to the south of BT Exchange building on the east side of Longhaugh Road. The proposal is contrary to Policy BE31 of the Local Plan and advice contained in NPPG19, PAN62 and Policy 78 of the Dundee Local Plan Review as the proposal does not involve mast sharing and there are more appropriate alternative sites. The application is recommended for **REFUSAL**.

SUMMARY OF REPORT

- Planning permission is sought for the installation of a 15m high telecommunications monopole supporting 3no. antennae, 3no. transmission dishes and associated ancillary development at a BT Exchange site at Longhaugh Road, Dundee.
- The proposal is for Hutchison 3G. Statutory policy and guidance and the Council's non-statutory guidelines under the Dundee Local Plan Review encourage mast sharing.
- Neighbouring residents did not require to be notified as they lie outwith the notification area. However due to the history of a previous application for the same site the agent considered it beneficial to notify neighbours. No objections were received.
- The application has been referred to the Development Quality Committee for determination at the request of the Local Member and the Member of the adjacent Ward.
- It is considered that the proposal does not satisfy the requirements of national and local guidance as it does not involve mast sharing and it is considered there are potential alternative sites within the surrounding area that would satisfy the appropriate policies.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the installation of a 15m slimline telecommunications monopole, supporting 3no. antennae for Hutchison 3G UK Limited, 3no. transmission dishes and associated ancillary development at Claverhouse Telephone Exchange. There will be a Nokia Outdoor Optima Cabinet measuring 1970mm x 790mm x 1300mm high on a 3450mm x 1690mm foundation to the west of the mast. The mast will be installed on a 5.8m x 5.8m foundation and there will be a 2m high chainlink fence in line with the exchange building with a 3m access gate to the east. The antennae will measure 2m in length and the dishes will be 0.6m in diameter. An access track will be formed along the east side of the exchange building to the mast and its equipment.

Supporting information was submitted by the applicant which outlined the planning history of the site, planning policy considerations and an assessment of other options.

SITE DESCRIPTION

The application site is located on the east side of Longhaugh Road and on open land to the south of a BT telephone exchange building. The nearest residential properties are to the west and are approximately 60m from the site of the proposed telecom mast. There are various mature trees between 10 and 20m high adjacent to the site which is currently a grassy area with steep slope to the west towards Longhaugh Road. There are trees along the west boundary immediately adjacent to Longhaugh Road with an open area to the south west.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

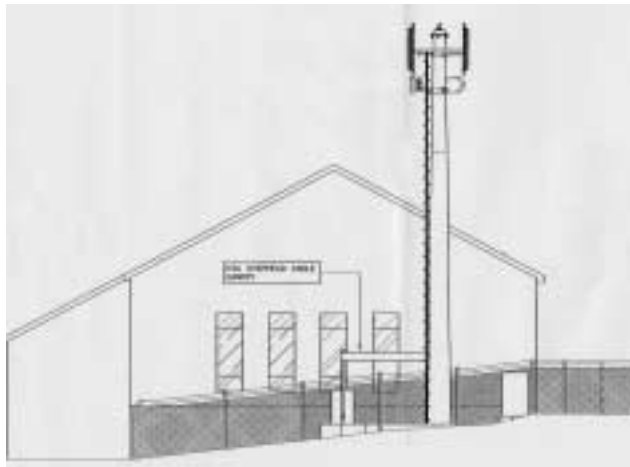
The following policies are of relevance:

BE31: Proposals for telecommunications developments will be assessed against the following criteria:

- a Proposals will be assumed to carry an operational justification, but in cases where there is good reason to anticipate a general proliferation and resultant clutter in the local landscape, the planning authority retains discretion to explore this justification. B) There are no satisfactory alternative sites available.
- b There is no reasonable prospect of sharing existing facilities.
- c The development should avoid conflict with other policies or proposals of the Local Plan, Structure Plan etc.

Dundee Urban Nature Conservation Subject Local Plan 1995

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



Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 78: Location of Telecommunications Equipment

In general, applications for the location of telecommunications equipment will be encouraged to mast share where appropriate and to minimise the environmental impact on the City.

Planning permission will normally only be granted where the proposals are in accordance with the Council's more detailed existing supplementary

policies relating to this issue. These supplementary policies are the Council's "Non-Statutory Policies in Relation to Telecommunications Masts and Other Apparatus" and are a material consideration under the Dundee Local Plan Review.

The following policy statements are of relevance:

Non-Statutory Policy 1: Applicants should provide details relating to:

- An operational justification for the location and design of the proposal;
- A justification for the proposal against alternative sites considered and rejected and the prospects for mast/apparatus sharing;
- An assessment of the cumulative impact of individual proposals where other telecommunications developments are present nearby;
- * Opportunities for locating apparatus on buildings to minimise visual impact;
- * Environmental impact in relation to other structure or local plan policies;

Non-Statutory Policy 2: Residential Areas

There will be a general presumption against the siting of free-standing masts, similar structures and ground-based apparatus within or immediately adjacent to existing residential areas or within or immediately adjacent to sites allocated for residential development in the Dundee Local Plan 1998. 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.

Non-Statutory Policy 15: Mast Sharing and Design Issues

The Council will encourage a partnership approach between the Council and operators to the forward planning of roll-out programmes of proposed works. In particular, opportunities for mast sharing will be maximised subject to satisfactory location and design controls.

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.

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. It also explains why additional mast stations are needed to serve the growth in customer demand and in response to changing technical requirements, including the third generation of mobile phones.

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

An application for a 20m high monopole was refused permission by Members, contrary to the officer's recommendation, on 25th March 2002. The application is for the same site but the mast is 5m lower in height and does not involve mast sharing.

PUBLIC PARTICIPATION

The applicants were not required to notify any adjacent neighbours under the neighbour notification process. However due to the history of the previous application they decided to notify neighbours. No objections were received.

CONSULTATIONS

There were no adverse comments 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 proposal is for a mast and associated equipment for H3G on land adjacent to the BT Exchange building at Longhaugh Road. Pre application discussions have taken place between the Planning and Transportation Department and the operators with comments taken on board and reflected in the mast design and scale of the proposal. The Italian Calzovara monopole is a slimline design in comparison to the standard utilitarian lattice type mast structure which is evident elsewhere in Dundee. This standard design was previously proposed for the site prior to July 2001, and would have benefited from permitted development rights, but the development was not implemented. It is a method of providing a multi-users structure with minimal visual impact on the immediate and surrounding environment. It is considered that if the mast and its associated equipment were coloured to reflect surrounding structures it will blend in better with the environment.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above and are discussed in detail below.

Policy H1 of the Local Plan seeks to protect the residential amenity enjoyed by local residents in predominantly residential areas. The application site is 60m from residential properties to the west and 180m from housing to the north. The proposed mast is not considered to be immediately adjacent to housing. Therefore the proposal is in accordance with Policy H1.

Policy BE31 of the Dundee Local Plan 1998 contains criteria for the assessment of such applications and these criteria are repeated and reinforced in the recent Non-Statutory Policies which have been drawn up to reflect the most recent national guidance. An operational justification has been provided and this site is part of the rollout programme by Hutchison 3G. Extensive site research was carried out by the applicants for site selection. Alternative sites were ruled out as a result of trying to achieve an equal balance between planning and environmental requirements whilst taking account of technical and operational constraints. A quarry to the east of Claverhouse BT Exchange was identified as a potential location for development. It was found that the quarry was slightly outwith the cell area and could not provide the required coverage given the undulating topography of the area. This was further compounded by the existence of mature trees that obstructed communications to the target area. However, only one site within the quarry was investigated and other operators have been considering this area. The application site was considered suitable as it is currently used for telecommunications use and will not lead to a proliferation of equipment at this location.

Criteria c and d encourage operators to share on existing facilities. The proposal is not for mast sharing but there will be potential for other operators to share a mast structure in this area in the future. No other masts for potential sharing were identified within the area. Alternative sites were assessed but ruled out as they do not provide the required coverage. Given the residential nature of the area, the applicant considered that there were few other appropriate sites to provide a location for the proposal. It is considered that the proposal does not conflict with other policies or proposals in the development plan.

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

Other Material Considerations

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

National Guidance

The application is on behalf of a telecommunications code systems operator who is seeking, under the terms of their license, to provide a minimum network coverage. The proposal is considered to be in line with the requirements of NPPG 19 and PAN 62.

In terms of the advice in NPPG 19 and PAN 62, the proposal addressed the main issues as follows:

- * The Use of Small Scale Equipment
- * The applicant has attempted to use the smallest antennae available while achieving the required coverage.
- * The Use of Concealment and Disguising

The proposal has been designed to minimise its effect on the surrounding area. It makes best use of existing features, having regard to operational constraints and aims to blend in with other vertical structures in the area. The equipment can be coloured to match existing finishes and this can be attached as a condition.

- * Mast Sharing and Site Sharing

Following a search of the area, no existing masts or sites were identified that could accommodate the proposal.

- * Installations on Buildings

The Claverhouse Telephone Exchange building roof is sloped and this presents an operational constraint.

- * Ground Based Masts

A ground based mast appears to provide the needs for the applicant and has an element of screening available from the building and a number of adjacent trees.

Paragraph 66 of NPPG 19 states that:

"Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise".

Policy 78 of the Finalised Dundee Local Plan 2003 repeats Policy BE31 of the adopted Plan and it follows that the proposal does not accord with this policy for the reasons discussed above and for additional reasons as discussed below in relation to supplementary

planning guidance on telecommunication masts.

Non-Statutory Policy 1 requires that every application provides:

- * An operational justification.
- * A justification for the proposal against alternative sites and prospects for mast sharing.
- * An assessment of the cumulative impact of individual proposals where there are others nearby.
- * An assessment of the visual impact of the proposal.
- * An analysis of the proposal's environmental impact.

An operational justification for the location and design has been provided. The applicant states that there were no more appropriate locations that would meet with H3G's technical and operational requirements. Whilst the proposal relates to a free standing mast, it is considered it will blend in with existing features such as mature trees within the area. There are no other masts within the vicinity and although the proposal does not include mast sharing there is potential for further operators to share a mast in the locality in the future.

Non-Statutory Policy 2 contains a general presumption against the siting of free standing masts within or immediately adjacent to existing or proposed residential areas. Exceptions 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.

The application site is 60m from residential properties to the west and 180m from housing to the north. The proposed mast is not considered to be within close proximity to housing. Other sites were investigated but it is considered that there are more appropriate sites within the area such as the Longhaugh quarry site. Therefore the proposal is considered to be contrary to Policy 2.

Non-Statutory Policy 15 encourages a partnership approach between the Council and operators to the forward planning of roll-out programmes of proposed works. In particular, opportunities for mast sharing will be maximised subject to satisfactory

location and design controls. The proposal does not involve mast sharing.

Another material consideration is the site history, where a previous application for the same site was refused permission by Members in terms of being contrary to Non-Statutory Policy 2 due to the location of the proposed mast within close proximity to a residential area. This proposal involves a mast which is 5m lower in height than the previous 20m high mast and does not involve mast sharing. Two other operators have since stated an interest in the Longhaugh quarry site for a proposed telecommunications mast. It is considered that the full potential of this site should be investigated.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the grant of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be refused.

Design

The telecommunications mast is slimline in design compared with the standard lattice type mast structure evident within various parts of Dundee. The agent has indicated that it can be coloured to blend in better with existing structures and the surrounding environment.

CONCLUSION

The proposal is contrary to advice provided in NPPG19 and PAN 62 and Policy BE31 of the Dundee Local Plan 1998 as the proposal does not involve mast sharing and other potential sites have not been fully investigated. A justification was provided which investigated alternative locations however it is considered that this was not investigated fully. The proposal is also contrary to the Council's Non-Statutory policies regarding telecommunication masts and other apparatus. There are no material considerations to justify approval of the application and therefore it is recommended for REFUSAL.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reasons:-

Reason

- 1 The proposal is contrary to Policy BE31 due to the failure to present opportunities to mast share. There are no material considerations that would justify approval of the proposal contrary to these policies.
- 2 The proposal is contrary to advice in NPPG 19, PAN 62 and Policy 78 of the Dundee Local Plan Review as the proposal does not involve mast sharing and does not fully consider alternative sites. There are no material considerations that would justify approval contrary to this advice