

KEY INFORMATION

Ward Ardler

Proposal

Installation of 15m monopole, equipment cabinets located within an enclosed compound

Address

Macalpine Shops and
Associated Car Parks
Macalpine Road
Dundee
DD3 8RE

Applicant

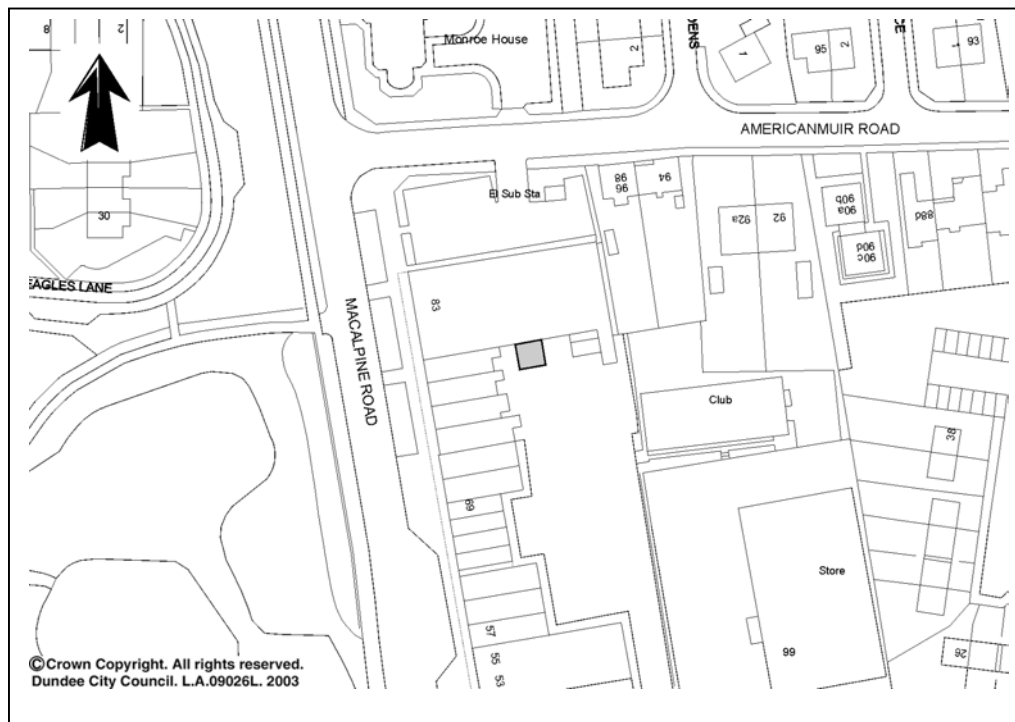
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Agent

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Registered 7 September
2004

Case Officer D Gordon



The Installation of 15m monopole and equipment cabinets is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal complies with the relevant policies of the Dundee Local Plan 1998 and the Finalised Dundee Local Plan Review. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought to erect a 15-metre high telecommunications mast and associated equipment on a site to the rear of the parade of shops located on the east side of MacAlpine Road. The proposed mast is to a monopole design.
- The mast is required to give comprehensive, third generation coverage for the existing O2 telephone network for this area of the city. The application is supported by the required technical certificate and the justification for the site selection identifies 2 alternative sites that were considered but rejected.
- The site lies to the rear of the parade of shops that are currently undergoing improvement works to the roofs. The nearest dwelling is located some 32 metres distant to the north east.
- It is considered that the proposal complies with Policy BE31 of the Dundee Local Plan 1998 and Policy 78 of the finalised Dundee Local Plan Review that relate to the location of telecommunications masts within the city.
- Four objections have been received. The objections are based on health grounds only and sufficient weight cannot be offered to these to justify refusal of the application contrary to the development plan policies and the National Planning Policy as expressed in NPPG 19.

DESCRIPTION OF PROPOSAL

The proposal involves the installation of a 15-metre high monopole style telecommunications mast accommodating 3 no. antennas with associated equipment on a site located to the rear of MacAlpine Road Shopping Centre. The proposal also involves the erection of a new compound bounded by 2.4 metre high palisade fencing that will enclose the new equipment.

SITE DESCRIPTION

The site lies on the east side of MacAlpine Road to the rear of the existing parade of single storey shops that are currently undergoing improvement works. The site is positioned immediately to the south side of a retail unit that forms the north edge of the parade. The site is flat and overlooks the service area / car parking area of the shops.

The surrounding area accommodates a variety of uses. To the south are the retail units of the local shopping centre and to the southeast are licensed premises and a vacant store. Residential properties are located approximately 32m - 40m distant to the northeast and approximately 95m to the northwest. Primary Schools are located a considerable distance to the northeast and the east 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 1998

The following policies are of relevance:

Policies S11, S12, S17, S18 and S21 relate to new floorspace, supermarkets and superstores, retail core areas, changes of use and environmental improvements within District and Local centres.

Policy EU13 - The Council will generally permit Class 2 and Class 4 office uses within District and Local Centres.

Policy H1 - Within areas where residential uses predominate, developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by reason of design, layout, parking and traffic movement issues, noise or smell.

Policy BE31 - Proposals for telecommunications developments will be assessed against the criteria in the policy.

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 1: Vibrant and Sustainable Communities. New developments should seek to minimise any affect on the environmental quality enjoyed by local residents.

Policy 78: Location of Telecommunications Equipment. This policy has recently been modified. In general, operators are encouraged to share existing masts in order to minimise 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.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guideline 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 also gives advice on the siting and design of masts.

Planning Advice Note 62: Radio Telecommunications. This provides 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".

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

03/00338/FUL - Re-roofing of retail units and erection of security fencing and gates - Approved 23/5/2004.

PUBLIC PARTICIPATION

The applicants carried out the statutory neighbour notification procedure. Objections to the proposals have been submitted by:

- 1 A resident of Birkhill
- 2 One local resident
- 3 St. Margaret R.C. Primary School Board

- 4 TARA (Tenants and Residents of Ardler)

The issues raised are on the grounds of potential health risks to school children and those in the surrounding area. Copies of these objections are available for inspection in the Members' Lounges.

These concerns are considered in the 'Observations' section of this report.

CONSULTATIONS

No adverse comments to the proposed development have been 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.

In terms of Policy BE31, a planning application should comply with 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
- c There is no reasonable prospect of sharing existing facilities
- d For radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure.
- e The development should avoid conflict with other policies or proposals of the Local Plan, Structure Plan, National Guidance etc.

The proposal has an operational justification and the site is required to provide third generation coverage for the existing 02 telephone network for the Downfield area as required by the terms of their licence.

Two alternative sites were investigated and rejected. One was on existing lighting structure at Clatto Water Treatment Works. The second was in the Americanmuir Road/MacAlpine Road area. These alternatives were rejected on the grounds of poorer site coverage and greater visual impact on the local environment respectively. Given the location and prominence of the site in relation to the surrounding land use characteristics it is considered that the applicants have adequately demonstrated that the selected site is a preferred and acceptable option in this instance. Consequently, the proposal is considered to comply with the terms of Policy BE31

Policy H1 requires that developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise and smell. The applicants propose a 15-metre high monopole structure with enclosed associated equipment on a site located to the rear of the north most unit within the parade of local shops. This form of structure has been selected in order to minimise any visual clutter in the local area. It is considered that the design and scale of the proposed telecommunications mast will not have a significant adverse impact on the appearance of the surrounding area by virtue of the screening affect of the existing shops. The impact of the mast will be further reduced by the improvements that are currently on-going within the parade of shops, in particular the provision of new pitched roofs over the existing flat roofs. The significant increase the heights of the roofs and will further screen the majority of the mast particularly when viewed from the north and west. There are no issues relating to layout, parking and traffic movement, noise or smell associated with this proposal. In this respect it is considered that the proposal is in accordance with Policy H1 of the Dundee Local Plan.

It is concluded from the foregoing that the proposal complies with the Policies BE13 and H1 of the adopted Dundee Local Plan 1998.

Other Material Considerations

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

Finalised Dundee Local Plan Review.

Policy 1 re-iterates the advice in Policy H1 of the Dundee Local plan 1998 above and consequently the same conclusions are offered.

Policy 78 encourages mast sharing where appropriate to minimise the environmental impact on the city. The proposal was assessed in terms of the Council's Non Statutory Policies, which are a material consideration in terms of Policy 78. The relevant policies are:-

Policy 1: "There should be an assessment of the operational justification, alternative sites and the options for mast sharing or use of buildings. This has been provided and is considered acceptable in this instance.

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". As detailed above, the operator has submitted a justification. The site is located approximately 32 metres distant from the nearest residential property located to the north east of the site. Other residential properties are located further away to the north, northeast and northwest. It is considered that due to the scale and design of the proposed mast in addition to the screening influences of the new roofs currently being placed on the adjacent retail units, the proposal will not have a significant adverse impact on the environmental qualities of the adjacent occupiers or nearby residents.

NPPG 19 and PAN 62.

These documents offer 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 developments are the key issues to be

addressed through the planning system.

Objections.

The proposal has been the subject of objections. The only issue raised by the objectors relates to the potential adverse impact of the development on the health of surrounding occupiers.

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 applicants have submitted the appropriate certificate in these circumstances.

The Scottish Executive published a report in early July 2004 entitled "Evaluation of Revised Planning controls over Telecommunications Development". 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 Executive supports research into the subject of health impacts of mobile telecommunications and recognises the need for more research into the matter, the current position is that there is insufficient evidence that mobile telecommunication development causes a health risk.

Therefore insufficient weight can be placed on these health concerns raised by the objectors.

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 contrary to the provisions of the development plan.

It is further concluded from the foregoing that the development is in accordance with the relevant policies of the Development Plan and is supported by the material considerations of the Finalised Dundee

Local Plan Review and the Council's Non Statutory Policies. It is therefore recommended that permission be approved.

Design

The design of the proposed telecommunications mast is intended to reduce its visual impact in the local area. Screening influences of new-pitched roofs currently being constructed over the adjacent flat roof retail units further assists this. The design, taking into account the local land use characteristics, is considered to be acceptable in this location.

CONCLUSION

It is concluded that the proposal complies with the relevant policies of the Dundee Local Plan 1998, the Finalised Local Plan Review and National Policy. The objections on health grounds cannot be offered sufficient weight to justify the refusal of this application contrary to these policies and guidance. Therefore, the application is recommended for approval.

RECOMMENDATION

It is recommended that planning permission 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 3 months of the date when the use ceases.

Reason

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 In order to safeguard the appearance of the local area following the cessation of the use hereby granted permission.