

**KEY INFORMATION**

**Ward** Craigiebank

**Proposal**

Installation of 12m slimline monopole, No 3 Antennas within GRP shroud, No 2 equipment cabins and associated ancillary development

**Address**

Land North of Mayfield Sports Ground  
Arbroath Road  
Dundee

**Applicant**

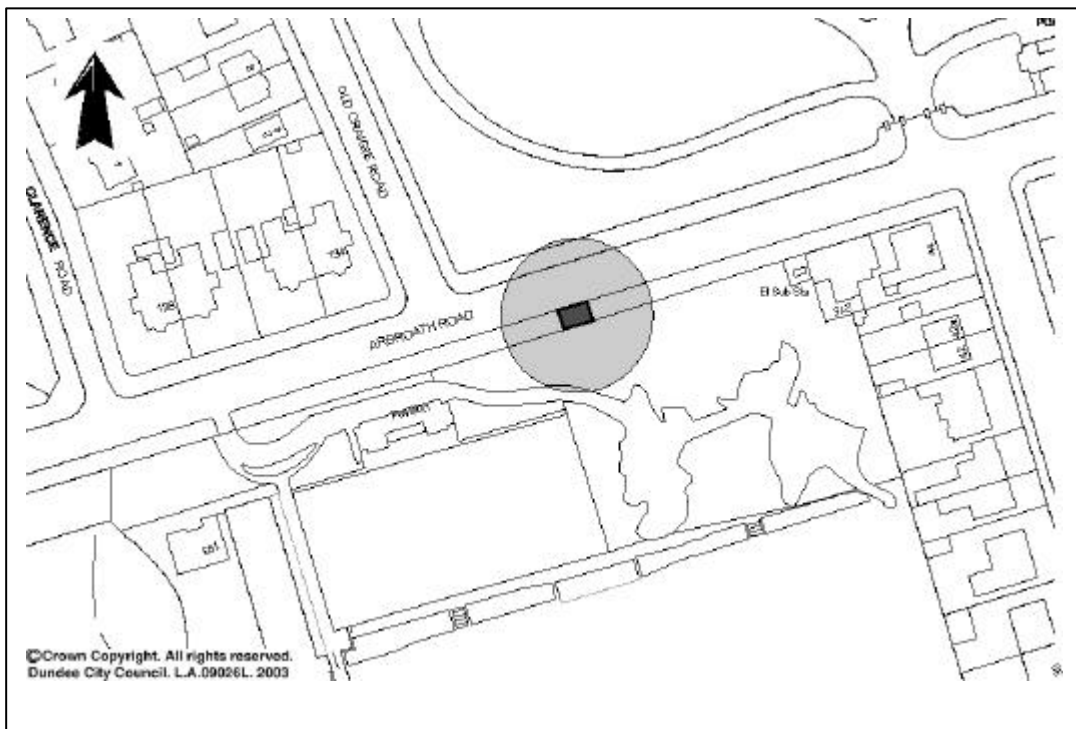
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**Agent**

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**Registered** 28 April 2005

**Case Officer** C Walker



## Proposed Phone Mast in Arbroath Road

The installation of a slimline monopole mast is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposed development complies with the relevant policies in the Dundee Local Plan 1998, Finalised Local Plan Review and National Policy. Although objections were received, primarily on health grounds, it is considered that they do not carry sufficient weight to justify refusal of the application. The application is therefore recommended for **APPROVAL**

**SUMMARY OF REPORT**

- Planning permission is sought to erect a 14 metres high "streetworks" style pole (12 metres pole and 2 metres antennae) on the south side of the Arbroath Road adjacent to the High School sports grounds. The nearest house is some 45 metres distant at the junction of Arbroath Road and Old Craige Road.
- Policies in the Adopted and Finalised Local Plans relating to telecommunications developments and residential amenity are of relevance, as well as Government advice in NPPG19 and PAN62.
- 10 letters of objection were received. The primary concern relates to health matters, with particular attention being drawn to the proximity of the mast to school playing fields and houses. Concerns are also raised about the visual impact of the proposed mast, impact on the listed Eastern Cemetery and traffic safety matters.
- The proposal has an operational justification and 5 alternative sites have been considered by the applicants but these have had to be rejected because they were worse in terms of visual amenity and proximity to houses.
- It is considered that the proposed structure will not be visually dominant and complies with policy.

## DESCRIPTION OF PROPOSAL

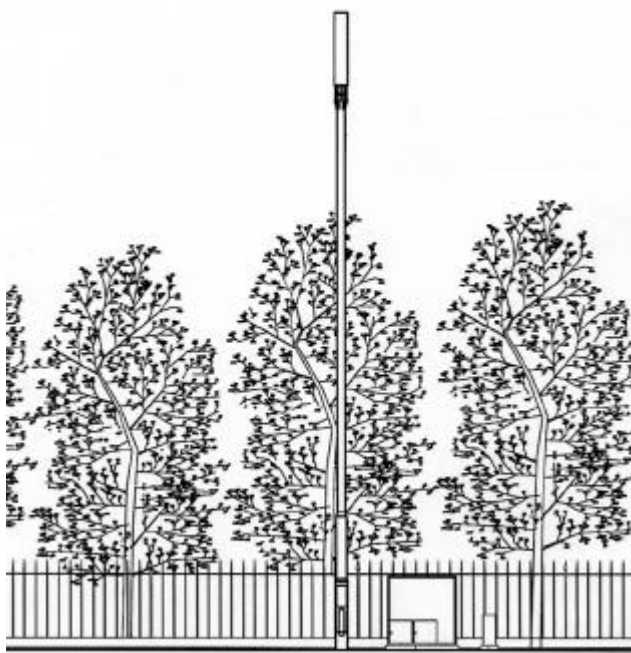
Planning permission is sought to erect a telecommunications mast in the form of a 12 metres high "streetworks" style pole topped with 2 metres of antennae enclosed within a GRP shroud, giving a total height of just under 14 metres. It is also proposed to site an equipment cabinet at ground level. The pole has an appearance not dissimilar to a street lighting column although it widens out at the top. It is proposed to site it in line with existing street lighting columns (which are approximately 8 metres high). The cabinet is 1.5 metres high and will have the appearance of a metal box. The pole is required to provide third generation coverage for Vodafone and will enclose 3 antennae.

The applicants have submitted a supporting statement with plans to justify the proposed development. They state that the design and siting of the mast will blend in with street lighting in the area and will be set against a backdrop of trees, so that it will be inconspicuous in terms of its visual impact.

They have considered 5 alternative sites but conclude that the proposal is the best possible in the circumstances. The applicants list and comment on these alternative sites as follows:

- 1 "Ground based mast at TA Barracks, Dalkeith Rd - In order to achieve the necessary height for coverage, the mast would need to be at least 18 metres high and this structure would introduce an incongruous visual intrusion onto the skyline when viewed from both the north and south to the detriment of the residential amenity.
- 2 Rooftop or ground based mast at Tayview Hotel, Murray St - Due to topography and the location of this site just outside the area deficient in mobile phone coverage, a mast on this

site would need to be very high to achieve the necessary



coverage.

- 3 Rooftop location at BT Exchange, Dalkeith Road - There is no scope for additional antennae on the existing poles on the building as the existing operator intends to erect additional antennae on them and it is considered that an additional pole mounted antennae would introduce a



proliferation of equipment on a single building to the detriment of the residential amenity of the area.

- 4 "Street works" poles in various locations in the Craigie Area - The southern part of this area would require very high poles to achieve coverage; the majority of footways are

restricted in width; existing street lighting is approximately 6 metres high and the height of mast required for coverage would have a significant visual impact on the area.

- 5 Site share at H3G monopole at 217 Arbroath Road - In order to site share a larger structure and an increased height of 2 metres would be required. The cumulative effect would have an unacceptable visual impact on the area."

They state that the proposals comply with Policy BE31 of the adopted Local Plan and non statutory policies on telecommunications development and have submitted coverage plans demonstrating that the mast will serve a gap in 3G coverage in an area with a radius of approximately 350 metres from the application site. Finally they have submitted an ICNIRP certificate indicating that the proposed equipment is in full compliance.

## SITE DESCRIPTION

The site comprises the public footway on the south side of Arbroath Road approximately 20 metres east of its junction with Old Craigie Road. The footway is over 4 metres wide at this location.

To the south are the High School of Dundee sports grounds which are enclosed by metal railings and sit at a lower ground level. There are mature trees immediately to the south of the site inside the railings.

To the north is the Category B listed Eastern Cemetery, and its attractive entrance gates lies some 100 metres to the east of the site of the proposed mast.

The nearest house to the proposed mast is some 45 metres to the west, at the junction of Arbroath Road and Old Craigie Road. Housing continues to the west along Arbroath Road and to the north on Old Craigie Road. The nearest house to the east on Dalgleish Road is some 80 metres distant.

## 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:

#### Policy 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.
- 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 etc.

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.

### 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 development should seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of a number of factors including design.

Policy 55: Urban Design. All development should respect the setting of listed buildings.

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. This development is for site sharing as the antennas are to be located on an existing site for telecommunications equipment.

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 section on "Non Statutory Statements of Council Policy".

### 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".

The following are of particular relevance:

Policy 1: there should be an operational justification for the location and design of the proposal including an assessment of the cumulative impact of individual proposals where other telecommunications developments are present nearby.

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.

Policy 10: Telecommunications masts will not be acceptable where, by virtue of their location and design, the Council considers that they will adversely affect the setting of a listed building.

## 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

There is no relevant history of planning applications relating to this particular site but planning permission was granted on appeal for a mast at 217 Arbroath Road (some 150 metres to the east of the application site) in January 2004 - application ref no 03/00134/FUL refers. That proposal was for a 12.5 metres high "street works" mast and it had been refused by the Council on the basis of adverse visual impact on the immediately adjoining dwellings. The reporter concluded that the visual impact of the mast would be minimal and not dissimilar to that of a street lighting column.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 10 individual letters of objection were received, 9 from nearby residents and 1 from the High School. The primary concern of the objectors relates to health matters, with particular attention being drawn to the proximity of the mast to school playing fields and houses. Concerns are also raised about the visual impact of the proposed mast, the cumulative impact of the proposed mast and the existing mast at 217 Arbroath Road, the possible impact on sight lines from the new entrance to the car park at the High School sports grounds, traffic obstruction on Arbroath Road when the equipment is being maintained, adverse impact on trees and adverse impact on the listed Eastern Cemetery.

Copies of these letters available for inspection in the Members Lounges and the concerns raised are considered in the Observations section of this Report.

## CONSULTATIONS

No comments on the development were received 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 Development Plan

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

The criteria set out in Policy BE31 focus on visual amenity matters and in particular promote mast sharing and masts on buildings. However there is a particular problem in areas such as this where the predominant land use is low rise residential. It is impossible to find a site that is not close to houses but at least in this case the mast is some 45 metres from the nearest house. The

area of deficient coverage does not contain any significant areas of industrial or commercial development that could accommodate masts. Difficulties are increased by the fact that Third Generation coverage is based on much smaller cells involving more masts much closer to each other.

In terms of the details of Policy BE31, the proposal has an operational justification and 5 alternative sites have been considered by the applicants but these have had to be rejected because they were worse in terms of visual amenity and some were in even closer proximity to houses.

There is the possibility of sharing a nearby existing mast at 217 Arbroath Road but only by significantly increasing the height (and therefore the visual intrusiveness) of that mast. In addition that mast (unlike the current proposal) directly adjoining housing. It is considered that this is a case where a new free standing mast would be preferable to a mast share. Finally, for reasons considered below, the proposed new mast will not conflict with other policies in the Plan.

Policy H1 specifies that developments will be permitted where they do not adversely affect the environmental quality enjoyed by local residents by reason of design. The proposed mast is designed to appear not unlike a street lighting column, and contains no visible antennae or dishes. It is sited in line with existing lighting columns along Arbroath Road and is afforded screening by the backdrop of mature trees in the High School sports grounds. It is therefore considered that the proposed structure will not be visually dominant and were it not for the concerns of local residents about health issues would be a perfectly acceptable structure at this location.

It is concluded from the foregoing that the proposal complies with Policies BE31 and H1 of the adopted Local Plan.

### Other Material Considerations

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

#### Finalised Dundee Local Plan Review

Policy 1 reiterates the advice in Policy H1 of the Adopted Local Plan and it is considered that the proposal complies with this Policy for the same reasons.

Policy 55 states that all development should respect the setting of listed buildings. The Eastern Cemetery is Category B listed with particular mention being made of the ornate entrance gates. It is considered that the proposed mast will not have an adverse impact on the setting of this listed building. The ornate gateway is some 100 metres to the east of the proposed mast and the cemetery wall directly across the road is low and without railings. The proposed mast will not form an obtrusive feature and will not therefore affect views towards the cemetery.

Policy 78 encourages mast sharing and as discussed above, this is a case where a free standing mast would be preferable to mast sharing. The Policy also says that alternative locations and design should be investigated. The applicant considered 5 other locations as discussed in the "description of the proposal" and these were ruled out because they would be more obtrusive than the current proposals.

The proposal was assessed in terms of the Council's Non Statutory Policies, which are a material consideration in terms of Policy 78. The proposal complies with Policy 1 as the applicant has provided a justification for the location and design of the proposal, alternative sites were assessed and the visual impact is acceptable.

Policy 2 contains a presumption against free standing mast or ground based apparatus within or immediately adjacent to residential areas. However it goes on to state that an exception may be made where the proposal is considered to be sensitively located and where the operator has demonstrated that the proposal is the most appropriate from the other options investigated. As has been previously stated, it is considered that the design and siting of the proposed structure is satisfactory and proposals for mast sharing at 217 Arbroath Road would be visually much more obtrusive.

Policy 10 contains a presumption against masts that adversely affect the setting of a listed building. This policy is not contravened for the same reasons set out in the consideration of the proposed development under Policy 55 of the Finalised Local Plan.

It is concluded that the proposal complies with Policies 1, 55 and 78 of

the Finalised Dundee Local Plan Review.

### **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. The proposal completely conceals the function of the mast (there are no visible antennae or dishes) and is located in an area where there are a number of lighting columns nearby.

### **Objections**

There has been 10 letters of objection to the proposal, which focus on concerns about health matters and in particular the close proximity of the proposed mast to school playing fields and houses. The letter from the High School states that the grounds are used by 1,100 pupils, visiting schools and are also used regularly by the wider community. Concerns about the health implications of telecommunications antennae have been considered by Government and other bodies.

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 Scottish 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.

It is for this reason that 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. Therefore insufficient weight can be placed on the concerns about health matters in this case.

The other concerns about visual matters have already been considered in assessing the proposed development against Local Plan policies and it has been concluded that the siting and design of the mast are satisfactory and will not have an adverse impact on the listed Eastern Cemetery. The applicants have provided an operational justification for their proposed mast.

The siting and size of the mast will not create any visibility problems at the new entrance to the High School sports grounds and the occasional maintenance of a mast at this location (generally twice a year) will not result in the obstruction of traffic on the Arbroath Road. Finally the proposed mast will not have an adverse impact on the trees to the south of the site which are well protected by the existing railings.

It is concluded from the foregoing that insufficient weight can be accorded to the grounds of objection such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions.

### **Design**

The proposed mast is designed to appear not unlike a street lighting column, and contains no visible antennae or dishes. It is also in line with existing lighting columns along Arbroath Road. It is therefore considered that the proposed structure is the most visually acceptable solution for this location.

### **CONCLUSION**

It is concluded that the proposal complies with the relevant policies in the Dundee Local Plan 1998, Finalised Local Plan Review and National Policy. Although objections were received, primarily on health grounds, it is considered that they do not carry sufficient weight to justify refusal of the application.

### **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 development hereby permitted ceases to be used for the purposes for which it was designed, it shall within 2 months of the date it ceased to be used be removed from the site and the site shall be reinstated to its state prior to implementation of the proposal or such other state as may be agreed in writing with the Council.

### **Reasons**

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997
- 2 To ensure that redundant telecommunications installations do not contribute to roadside clutter and to ensure the satisfactory reinstatement of the site.