

**KEY INFORMATION**

**Ward** Brackens

**Proposal**

Installation of 29m monopole accommodating 2 antenna with floodlights and 2 No equipment cabinets

**Address**

Clatto Barns Workshops  
Dalmahoy Drive  
Dundee

**Applicant**

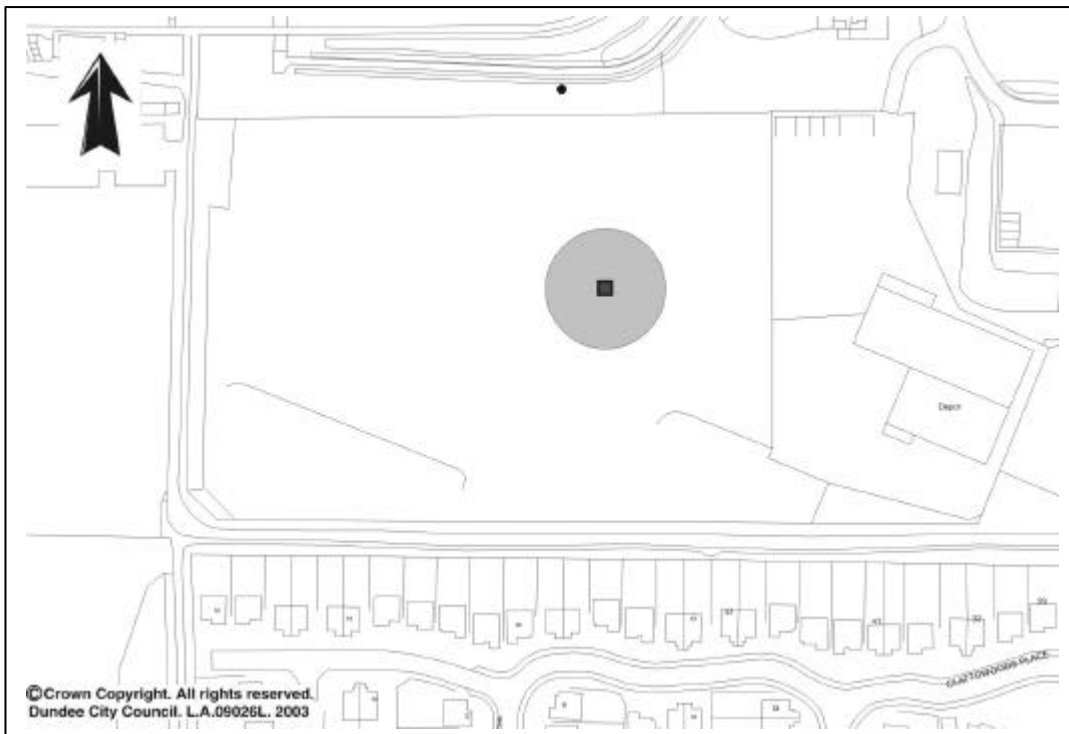
O2 (UK) Limited  
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**Agent**

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**Registered** 10 May 2006

**Case Officer** Eve Jones



## Telephone Mast Proposal in Dalmahoy Drive

The installation of a monopole accommodating 2 antenna with floodlights is **RECOMMENDED FOR REFUSAL**. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposal fails to comply with policies in the Dundee Local Plan Review 2005 and the Council's Non-Statutory Policies. A recent appeal decision for an almost identical development within the same yard was only justified by the Reporter as it replaced an existing lighting column. The objections on the grounds of the appearance of the mast and proliferation of masts are supported. Therefore the application is recommended for **REFUSAL**

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a 29 metre high monopole to accommodate 3 telecommunications antenna and 2 associated ground based equipment cabinets. The pole will also accommodate a cluster of floodlights at a height of 25 metres. The proposal is to provide coverage for O2 (UK) in the Baldragon area of the City.
- The applicant's agent has submitted the necessary ICNIRP Certificate with regard to the operation of the mast and a detailed statement of justification in support of the application. 10 alternative sites have been examined by the operator but were considered to be unsuitable.
- The site lies within the operational yard of the Clatto Water Treatment Works to the north of Dalmahoy Drive, adjacent to Clatto Country Park. One 29 metre high telecommunications mast with floodlights has already been installed, 42.5 metres to the east of this site and an existing 27 metre high lighting column a similar distance to the west has recently been approved on appeal.
- It is considered that the proposal fails to comply with the relevant Council policies as the opportunities for mast sharing have not been adequately investigated and the erection of a third mast in this yard would result in unacceptable proliferation of masts and visual clutter.
- Four residents have objected and the objections on visual appearance and proliferation of masts are supported.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a 29 metre high monopole to accommodate 3 telecommunications antenna and 2 associated ground based equipment cabinets. The pole will also accommodate a cluster of floodlights at a height of 25 metres.

The proposal is to provide coverage for O2 (UK) in the Baldragon area of the City. The applicant's agent has submitted the necessary ICNIRP Certificate with regard to the operation of the mast and a detailed statement of justification in support of the application. The alternative sites investigated and considered unsuitable by the operator are:

- 1 Laird Street, street furniture option. Residential area adjacent to site of proposed new school, does not comply with Council Non-Statutory policy 2.
- 2 Downfield Golf Club. Site too far from target cell area and undulating topography renders site unsuitable on technical grounds and would fail to give coverage to the required target area.
- 3 High rise flats Ardler. This is an existing site but it is outwith target cell area, is too high to provide effective cover and operation here would interfere with the wider network.
- 4 Sub-station, St Kilda Road. Within a dense residential area where the visual amenity would be affected in contravention of Council Non-Statutory policy 2. Underground services would also significantly restrict siting options at this location.
- 5 St Kilda Church. The building is low with no spire and a rooftop installation would require to be located at a significant height above the roof to achieve effective coverage, creating an unacceptable visual impact.
- 6 Clatto Farm Barns. The undulating topography restricts site options. The site provider has not responded to approaches.

- 7 Nine Maidens Public House. Single storey building presents the same problems as St. Kilda Church. A ground based mast was considered but the site is too far removed and the undulating topography would not provide

**Existing**



adequate coverage to the target cell area.

- 8 Electricity Sub-Station, east end of Laird Street. A ground based mast was considered but the site is too far removed and the undulating topography would not provide adequate coverage to the target cell area.
- 9 St. Marys residential area. The area was surveyed for potential sites but there is little scope due to narrow pavements and dense residential development. A mast in this residential area would

**Proposed**



also contravene the Council Non-Statutory policy 2.

- 10 Vodafone Lighting column, Clatto Water Treatment Works. This is not a sharable structure due to its function as an operational lighting column.

The Orange mast also approved on site is not sharable. The agent indicates that a sharable monopole could be an acceptable alternative to this current proposal.

In the course of the consideration of the application, the agent was asked to consider another alternative site at Gallowhill Water Tower but advised that as this is more than 500 metres to the west it is too far away to provide the necessary cover for the target cell area.

## SITE DESCRIPTION

The site lies within the grounds of the Clatto Water Treatment Works off Dalmahoy Drive at the north west boundary of the City. The works comprise reservoirs, treatment works and associated offices within extensive grounds. There is an existing 29 metre high telecommunications tower with flood lights 42.5 metres to the east of the application site and an existing 27 metre high floodlight tower 42.5 metres to the west of the site. The nearest houses to the south are 82 metres (to the garden boundary) and 97 metres to the actual house. There are staff houses within the Treatment Works boundary which are 110 metres away (north). The wider area to the south and east is residential. Clatto Country Park lies beyond the Water Treatment Works to the north and west.

## 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 78: Location of 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. (see below)

Policy 1: Vibrant and Sustainable Communities.

## 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.

### Planning Advice Note 62: Radio Telecommunications

This provides best practice advice on the process of site selection.

### Non Statutory Statements of Council Policy

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

Policies 1, 2 and 3 are of particular relevance and are considered in respect of Policy 78.

## 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

04/00760/FUL Planning application for installation of 29m monopole accommodating 3 telecommunications antenna and equipment cabinets (Vodafone). The monopole was to replace the existing floodlight tower and would also carry floodlights. The application was refused by Development Quality Committee on 13 December 2004 and was granted on appeal, subject to conditions, on 21 September 2005. This mast has been erected.

05/00791/FUL Planning application for installation of 29m monopole accommodating 3 telecommunications antenna and equipment cabinets (Orange). The monopole was to replace the existing floodlight tower and would also carry floodlights. The application was refused by Development Quality Committee on 5 December 2005 and was granted on appeal, subject to conditions, on 17 July 2006. This mast has not yet been erected.

## PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 4 objections were received on grounds of loss of visual amenity, general proliferation and clutter and lack of information on alternative sites. Copies are available in Members lounges and the points raised are considered in the Observations below.

## CONSULTATIONS

There were no adverse comments from 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

### Policy 78: Location Of Telecommunications Equipment

Where appropriate, proposals for telecommunications equipment will be encouraged to mast share. Where the operator can demonstrate to the satisfaction of Dundee City Council that mast share is not a feasible proposition, then alternative solutions in terms of location and design, will be assessed with the objective of minimising the environmental impact on the City.

Dundee City Council's supplementary guidance (as amended August 2003) will be a material consideration in the determination of applications for telecommunications developments. This guidance complies with National Planning Policy Guideline 19 and Planning Advice Note 62.

As noted above, there is an existing, 27 metre high mast with floodlighting 42.5 metres to the east of this site and a very similar 27 metre high mast with lights has recently been granted planning permission on appeal on a site 42.5 metres to the west of this site.

As part of the consideration of the planning applications for those two masts, the agents were requested to consider the potential for mast sharing in the future in order to minimise the number of masts in the area. In both cases, the agent advised that the design was not suitable for mast sharing and that it was designed to "replicate" the floodlighting towers which were on the site.

Both approved masts are 29 metres high with flood lights at 25 metres. They have a diameter of approximately 0.8metre. As the floodlighting gantry has to be capable of being lowered for maintenance purposes, the agent advises that no additional antenna can be installed at a lower level on these masts. The agent was asked to consider the re-location of the floodlights at a lower level in order to allow additional antenna to be attached to the tower below the existing masts and above the floodlights. The agent has advised that these 29 metre high towers do not have the structural capability to accommodate additional equipment.

However the agent did suggest that an alternative sharable monopole could be provided instead of the 29 metre high mast and lighting column. A sharable

25 September 2006

mast would be 22.5 metres high with the opportunity for other operators to locate antenna at two lower levels. Both masts would be approximately the same diameter. When mast sharing options were being discussed in the consideration of the second application and appeal on the site, agents for the applicants advised that the only sharable option was to replace the first mast with a lattice mast 33 metres high. These mast sharing options are sufficiently different to require further investigation and co-operation between operators to rationalise their collective requirements in this part of Dundee.

The site is on the margins of a residential area and already contains an existing 29 metre high mast. The existing 27 metre high floodlighting pole to the west has also been granted planning permission to be replaced by a similar 29 metre high mast and floodlighting pole. Both decisions were granted on appeal.

The Reporter, in considering the second appeal, stated that although the masts were larger and had a more substantial appearance than the original floodlighting columns, the fact that the first mast had been erected tended to draw attention to the differences between the two structures. She considered that replacing the second floodlight with a mast would result in 2 similar structures which would draw the eye less. Accordingly the National Guidance on siting and design of masts was considered to apply because the proposal involved replacement of an existing floodlighting column.

The same argument cannot be used to justify the erection of a third 29 metre high mast to be located between the two which have now been granted planning permission.

The submitted statement of justification states that the proposed location and design is considered to be sympathetic to the character of the surrounding area and to be the least visually intrusive option to address the current coverage deficit. It is considered to provide a degree of symmetry with the current and approved masts. However, it is considered that the provision of a third mast in this location would result in an unacceptable proliferation of masts resulting in visual clutter on the site.

Accordingly it is considered that the potential for mast sharing should be

pursued more vigorously in this particular area given the difficulties of achieving network coverage for all operators. The application is therefore not considered to comply with Policy 78.

**Policy 1: Vibrant and Sustainable Communities.** Within areas where residential uses predominate, developments 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 reason of design, layout, parking and traffic movement issues, noise or smell.

It is considered that the proposal does not comply with Policy 78 and the provision of a third large structure in this location has no justification as there are no existing structures to be replaced and the proposal would result in unacceptable proliferation of masts resulting in visual clutter to the detriment of the environmental quality enjoyed by local residents. Accordingly, it is considered that the proposal fails to comply with Policy 1.

### Other Material Considerations

**National Guidance.** Pre application consultation was carried out, the applicant was advised on the need for planning permission and was advised of the Council's policies. Strong concerns were expressed regarding the proposed erection of a third mast in this location.

The proposal was assessed in terms of the Council's Non Statutory Policies, which are a material consideration in terms of Policy 78 and comply with NPPG19 and PAN62.

**N/S Policy 1:** there should be an assessment of the operational justification, alternative site, the options for mast sharing or use of buildings and the cumulative impact of individual proposals where other telecommunications developments are present nearby. The proposal has an operational justification which states that the proposed site forms part of a wider network requirement to provide 3G coverage for O2(UK).

For the reasons given above, the proposal is considered to not to comply with N/S Policy 1.

**N/S 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 it is considered that the proposal will result in unacceptable proliferation of masts resulting in visual clutter and there is no justification for the installation of a third large mast in this area. Accordingly, the proposal does not comply with N/S Policy 2.

**N/S Policy 3:** there will be a general presumption in favour of the location of ground-based masts within existing industrial estates and sites allocated for industrial development in the Local Plan provided such proposals;

- 1 are located and designed so as to minimise their visual impact.
- 2 do not prejudice the achievement of the Plan's employment policies.

The site is not an industrial estate or an allocated industrial site but the site does lie within a large public utility complex, which has the appearance and characteristics of an industrial site. The proposal is not designed to minimise its visual impact as it will result in visual clutter. It is considered that the proposal does not comply with N/S Policy 3.

### Planning History

As noted above, planning permission was granted on appeal for the replacement of both of the adjacent floodlighting masts with 29 metre monopoles which also carry floodlights. As noted above, the Reporter in the second appeal found the proposal acceptable because it was replacing an existing lighting column. There is no such justification in this case.

It is concluded from the foregoing that the development is not in accordance with the relevant policies in the development plan and is not supported by the material considerations of the Council's Non Statutory Policies. The planning history of the recent appeal decision does not support the provision of a third structure on the site.

### Objections

Four objections were received from local residents on grounds of loss of visual amenity, general proliferation and clutter, impact on health and lack

of information on alternative sites. The objections on grounds of appearance, proliferation and visual clutter are supported as detailed above.

It is considered that the applicant's agent has considered a large number of alternative sites in the vicinity and the sites suggested by the objector are too far from the target area to provide the necessary service.

With regard to health issues, Members are well aware of the guidance issued by the Scottish Executive. 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.

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.

Therefore the objection on health grounds cannot be supported in this case.

## Design

The design of the mast and antenna seeks to replicate the design of the existing floodlighting column in order to minimise its impact on the visual appearance of the area. The submitted statement of justification states that the proposed location and design is considered to be sympathetic to the

character of the surrounding area and is the least visually intrusive option to address the current coverage deficit. It is claimed that the proposal would provide a degree of symmetry with the current and approved masts. However, it is considered that the provision of a third mast in this location would result in an unacceptable proliferation of masts resulting in visual clutter on the site.

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## CONCLUSION

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It is concluded that the proposal fails to comply with the relevant policies in the Dundee Local Plan Review 2005 and the Council's Non-Statutory Policies. National Planning Policy Guidance supports mast sharing and there is a lack of clarity and consistency between operators and agents in their justifications for the development of masts in this location which requires to be investigated further. A recent appeal decision for an almost identical development within the same yard was only justified by the Reporter as it replaced an existing lighting column. The objections raised by local residents on the grounds of the appearance of the mast and the resulting proliferation of masts which would result from the erection of a third such structure are supported. Therefore the application is recommended for REFUSAL.

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## RECOMMENDATION

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

### Reasons

- 1 The proposed development is contrary to Policy 78: Location of Telecommunications Equipment of the Dundee Local Plan Review 2005 as the operator has failed to demonstrate to the satisfaction of the City Council that mast share is not a feasible proposition and the addition of a third mast in this location will have an unacceptable adverse environmental impact on the area by reason of the scale, design and proliferation of the structures. There are no material considerations of sufficient strength to justify the granting of planning permission contrary to the terms of the policy.

- 2 The proposed development is contrary to the supplementary guidance approved as a non-statutory policy as part of Policy 78: Location of Telecommunications Equipment of the Dundee Local Plan Review 2005. The operator has failed to demonstrate to the satisfaction of the City Council that mast share is not a feasible proposition and the addition of a third mast in this location will have an unacceptable adverse environmental impact on the area by reason of the scale, design and proliferation of the structures.