

**KEY INFORMATION**

Ward Riverside

**Proposal**

Erection of 15 metre telecommunications mast containing 3 No antenna with 2 equipment cabinets

**Address**

Land to East of 518  
Perth Road  
Dundee

**Applicant**

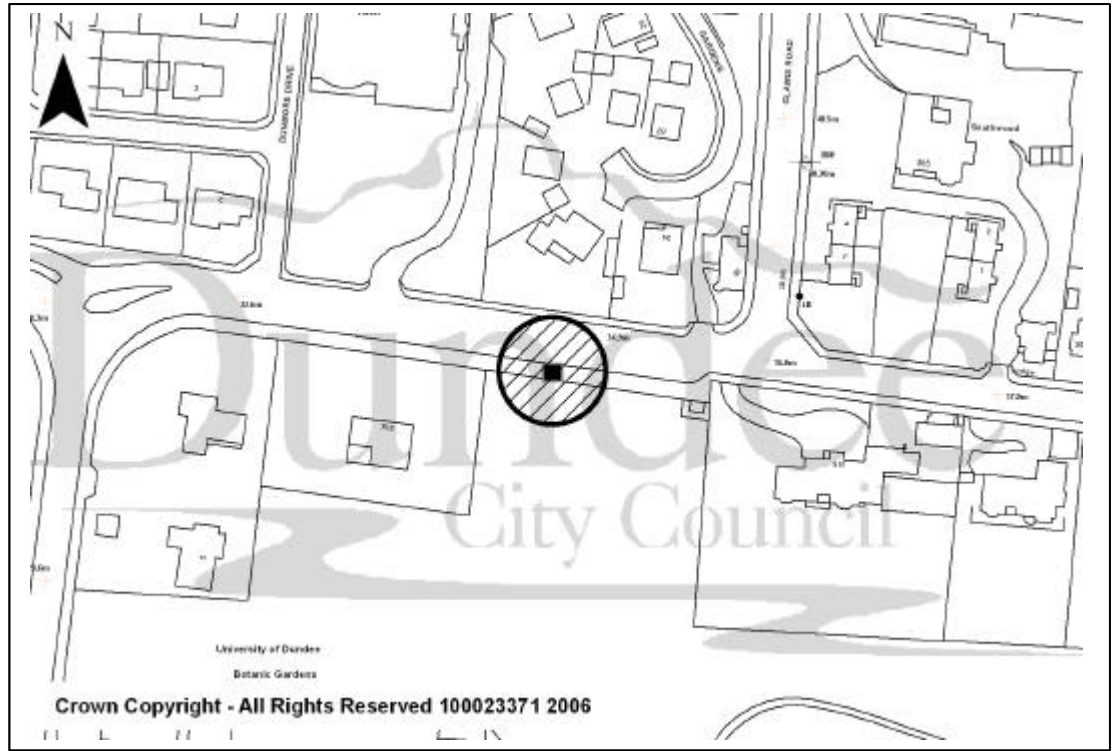
T-Mobile (UK) Ltd  
Hatfield Business Park  
Hatfield AL10 9BW

**Agent**

Daly International  
Dalziel House  
Lark Way  
Strathclyde Business Park  
Belshill  
Glasgow ML4 3RB

Registered 12 Feb 2007

Case Officer Eve Jones



## Proposed Replica Telegraph Pole In Perth Road

The erection of a 15 metre telecommunications mast is **RECOMMENDED FOR APPROVAL** subject to **conditions**. Report by Director of Planning and Transportation

**RECOMMENDATION**

It is concluded that the proposal complies with the relevant policies in the Dundee Local Plan Review 2005, the Council's Non-Statutory policies and the National Planning Guidance. The single objection is not supported and the application is Recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for the erection of a 15 metre high replica telegraph pole telecommunications mast to incorporate 3 antenna with 2 cabinets to the rear of the wide footway on south side of Perth Road. The necessary ICNIRP Certificate and a detailed statement in support of the application including 11 alternative sites have been submitted.
- The proposed installation is a replica telegraph pole in an area where there are a number of street works installations. It is considered that the application meets the requirements of Policy 61: Development in Conservation Areas.
- There is a history of unsuccessful applications for masts in the area which demonstrates the difficulties faced by the telecommunications operators and there are no available mast sharing sites. It is considered that the applicant's agent has satisfied the requirements of Policy 78 and the Council's "Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus".
- One brief objection was received from a neighbour on grounds of affecting setting of Conservation Area and Listed Buildings and Non-Statutory Policy 2, however the objector did not expand on these grounds of objection. These matters have been discharged in the report.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a 15 metre high replica telegraph pole telecommunications mast to incorporate 3 antenna with 2 associated cabinets. The site is required to provide 2G coverage to the surrounding residential areas, the business park and the airport.

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:

- a Technology Park - too far to provide necessary coverage.
- b Ninewells Hospital - too far to provide sufficient coverage.
- c Botanical Gardens - very suitable location but University unwilling to lease land.
- d Balgay Cemetery - too far to provide coverage required.
- e Dundee Airport - land too low to provide coverage for this area.
- f Riverside Drive - land too low to provide sufficient coverage for target area.
- g Business units, Riverside Drive - land too low, as above.
- h Invercarse Hotel - site ideally suited but site provider unwilling.
- i Harris Academy - well placed but T mobile has policy of avoiding sensitive land uses such as schools.
- j Balgay Bowling Club - potential of swapping out existing flagpole considered but tall trees severely impact on coverage.
- k Seaforth TA - suitable site but other operator has been refused planning permission on this site.

## SITE DESCRIPTION

To be located to the rear of the wide footway on south side of Perth Road, north of the Botanic Gardens and close to the junction with Glamis Road.

There are large detached houses 40 metres to the west and east and newer housing on land to the north. There are trees along the southern boundary of this footway.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

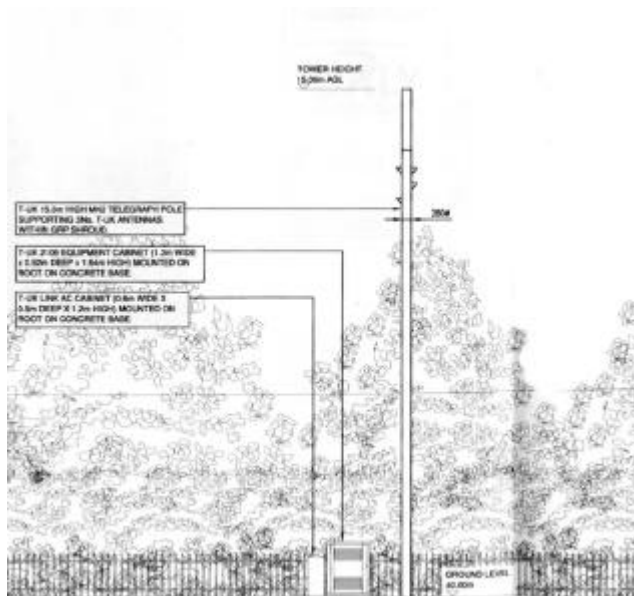
There are no policies relevant to the determination of this application.

### Dundee Local Plan 2005

The following policies are of relevance:

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. The agent for the operator did carry out pre application consultations in accordance with this guidance.

## Planning Advice Note 62: Radio Telecommunications

This provides best practice 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".

Policies 1, 2, 11 and 15 are of particular relevance and are considered in respect of Policy 78 below.

## SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

## SITE HISTORY

04/00587/FUL Application for erection of telecommunications monopole was withdrawn prior to determination.

## PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and one objection was received from a neighbour on grounds of affecting setting of Conservation Area and Listed Buildings and Non-Statutory policy 2. The objection is considered in the Observations below and copies are available in Member's Lounges.

## 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

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

Policy 61 - Development in Conservation Areas.

Within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future.

It is considered that the proposed installation which involves the provision of a replica telegraph pole in an area where there are a number of street works installations will have a neutral impact and will not impact adversely on the character of the Conservation Area. It is considered that the application meets the requirements of Policy 61.

Policy 78: Location of Telecommunications Equipment.

Operators are encouraged to share existing masts in order to minimise the environmental impact on the city. Where the operator can demonstrate to the satisfaction of the 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.

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 consideration of other material considerations.

There is a history of applications for telecommunications masts in the wider

area which demonstrate the difficulties faced by the telecommunications operators in identifying suitable sites for masts in Perth Road due to the residential nature of the area, the large buildings, the sloping sites and the landscaping and the location of existing services below and above the footways which restrict options.

The submitted justification states that the site has been chosen as it is a "wide footpath with the backdrop of high (13 - 14 metre) dense foliage to absorb the installation into the local surrounds. The presence of numerous structures of a similar strong vertical emphasis was also a major factor in site selection to ensure that the proposed development would fit into the street landscape and would not attract the eye of residents or passing traffic."

There are no available mast sharing sites at the 11 alternative sites which were examined as part of the site selection process and are listed in at the beginning of this report.

It is considered that the applicant's agent has satisfied the requirements of Policy 78.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan.

## Other Material Considerations

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

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

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.

This has been provided and is acceptable.

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.

It is considered that the operator has demonstrated the difficulties of locating a telecommunications mast in this area and has justified the site selection and mast selection process in accordance with this policy.

Policy 11: Conservation Areas. There will be a presumption against the location of ground based masts and apparatus within 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 stated above, it is considered that the proposed installation will not have an adverse impact on the character of the Conservation Area.

Policy 15: Mast Sharing and Design Issues. The policy encourages mast sharing and innovative design. There are no masts available to share in this vicinity and design of the mast is considered to be acceptable in this area where there are a number of other streetworks installations.

It is considered that the proposal complies with the Council's Non-Statutory Telecommunications Policies.

## Objection

One brief objection was received from a neighbour on grounds of affecting setting of Conservation Area and Listed Buildings and Non-Statutory policy 2 - General presumption against siting masts in residential areas. However the objector did not expand on these grounds of objection.

These matters have been discharged in the foregoing report.

## Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

It is also concluded from the foregoing that the statutory duty set out in Section 64 of the Act, to preserve or enhance the character or appearance of the Conservation Area would be satisfied by the approval of this proposal.

It is concluded from the foregoing that insufficient weight can be accorded to the objection such as to justify the refusal of planning permission contrary

to the provisions of the development plan.

### Design

The design of the mast is a replica telegraph pole which is acceptable in this location.

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## CONCLUSION

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It is concluded that the proposal complies with the relevant policies in the Dundee Local Plan Review 2005, the Council's Non-Statutory policies and the National Planning Guidance. The single objection is not supported and the application is Recommended for APPROVAL subject to conditions.

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## RECOMMENDATION

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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 In order to safeguard the visual amenity of the Conservation Area.