

KEY INFORMATION

Ward West End

Proposal

Proposed Installation of
14.2m High Telegraph Pole
Type Telecommunications
Structure; 3 x 3G Antennas
within GRP Shroud;
Associated Equipment
Cabinet, Electrical Mains
Pillar, Ancillary Development

Address

Land opposite Carseview
Gardens on Glamis Road,
Dundee

Applicant

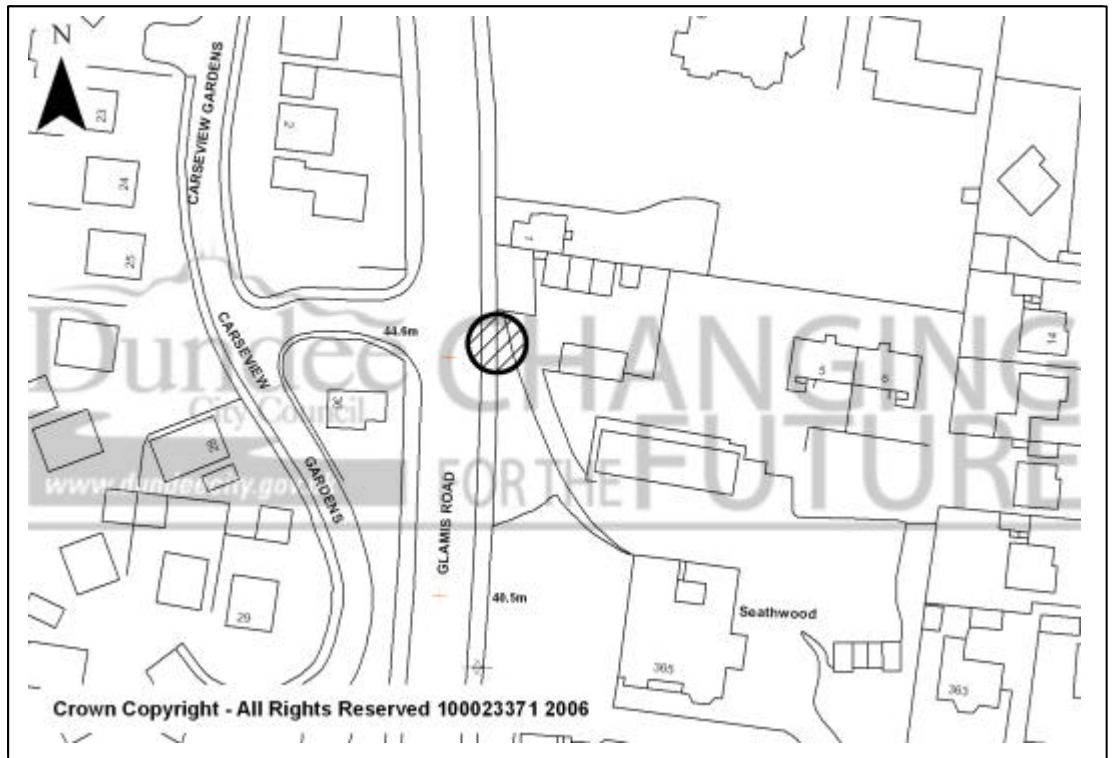
Vodafone Limited
c/o Agent

Agent

Tyco Electronics
300 Springhill Parkway
Glasgow Busines Park
Ballieston
Glasgow G69 6GA

Registered 19 Nov 2008

Case Officer D Gordon



Proposed Mobile Phone Mast in Glamis Road

The proposed installation of a Telegraph Pole Type Telecommunications Structure 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 of the Dundee Local Plan Review 2005, the Council's Non Statutory Policies on Telecommunications and National Planning Guidance. The application is recommended for approval subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a 14.2 metre high replica telegraph pole telecommunications mast to incorporate three antenna with associated cabinet equipment to the rear of a footpath on the east side of Glamis Road. The necessary ICNIRP Certificate and a detailed statement in support of the application including investigation of 17 alternative sites have been submitted for consideration.
- The proposed installation is a replica telegraph pole in an area where there are a number of street works installations (lighting columns) and street trees. It is concluded that the application meets the requirements of Policy 61 (Development in Conservation Areas) of the Local Plan.
- There is a history of unsuccessful applications for masts in the west end of the city which demonstrates the difficulties faced by the telecommunications operators and there are no available mast sharing opportunities in the local area. It is considered that the applicant's agents have satisfied the requirements of Policy 78 of the Local Plan and the Council's 'Non-Statutory Planning Policies in Relation to Telecommunications and Other Apparatus'.
- The statutory neighbour notification procedure has been undertaken by the applicants. The application was also advertised in the local press as 'Development Affecting the Setting of a Conservation Area'. The development has attracted three objections from local residents on the grounds that the proposals contravene Policies 1, 61 and 78 of the Local Plan and Non Statutory Policy 2. These matters have been discharged in the report.

DESCRIPTION OF PROPOSAL

The application seeks permission to install a new 14.2 metre high telecommunications structure supporting 3 x 3G antennas with associated ground based equipment cabinet and electrical mains pillar (coloured grey).

The proposed mast has been designed to look like a telegraph pole and is to be located on the footway on the east side of Glamis Road immediately opposite the entrance into Carseview Gardens. The structure is to be placed adjacent to a high stone boundary wall that runs in a north to south direction towards Perth Road.

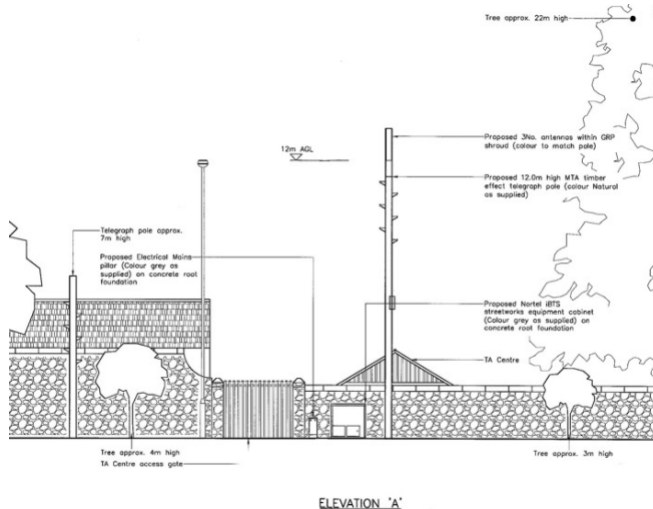
The proposed ground based equipment cabinet will measure approximately 1.4 metres in length, 0.4 metres in width and will be limited to 1.5 metres in height. The electrical mains pillar will measure approximately 0.3 x 0.4 metres. The submitted details advise that the equipment will be coloured grey.

The applicant's agent has submitted the necessary ICNIRP Certificate with regard to the operation of the mast and a supporting statement in which they suggest that the telegraph pole structure proposed is designed to minimise its impact in the local area and also to reflect the design of a previously approved mast on a site located 135 metres to the south (land east of 518 Perth Road).

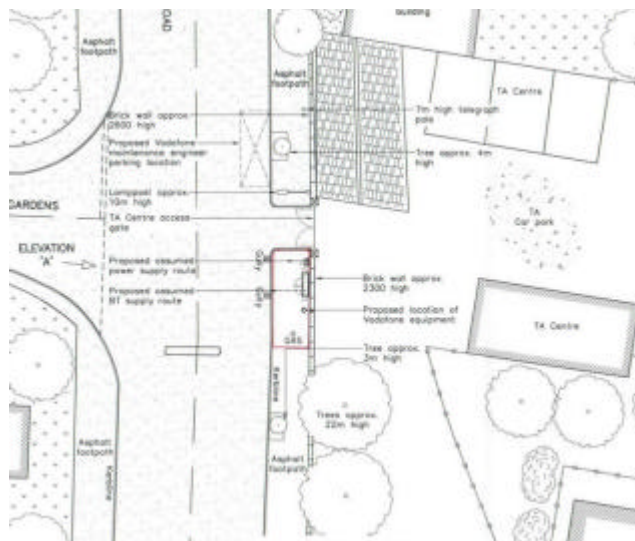
The alternative sites investigated and considered unsuitable by the operator are:

- 1 Invercarse Hotel, 371 Perth Road - identified as representing one of the few large-scale non-residential buildings within a predominantly residential area. Negotiations for a leasing agreement with the site provider could not be completed due to structural difficulties with the rooftop and as a result of perceived/potential public objection. Potential proposal at this location not progressed.
- 2 Various streetworks proposals Perth Road (East) - discounted due to problems with presence of underground services, potential

adverse impact on adjacent listed buildings and the surrounding conservation area, presence of significant pockets of mature vegetation and the over provision of streetworks types proposals along this route. Option discounted.



- 3 Duncarse House, Perth Road - potential adverse impact on a category B listed building. Option considered inappropriate.
- 4 Botanical Gardens - the land to the south of Perth Road falls steeply to the south and as such any development would require incorporating a significantly large structure to avoid any signal infringement as a result of the



rising topography and existing vertical landscape features. Further, the area is identified as an area of recreational open space and the potential use of this site would only be considered in exceptional circumstances. Option not considered appropriate.

- 5 15m High T-Mobile Telegraph Pole on Land to East of 518 Perth Road - the existing mast is a single operator solution and has been designed to be of minimum girth and height in an attempt to be as discreet as possible. In order to accommodate a second operator this structure would need to be significantly redeveloped, requiring a much larger girth and the incorporation of a 1m vertical separation gap to avoid interference between transmission equipment. Further, this structure is presently the subject of an upgrade proposal (recently approved planning application) which will result in an increase in equipment at the foot of the mast. Accordingly, the redevelopment of this mast would not only jeopardise the integrity of the existing structure but would also create a detrimental focal point within the streetscape. For these reasons this option has been discounted.
- 6 Orange, Mayo Avenue - an existing mast is located a significant distance (approximately 400+ metres) from the target search area. Also the land lies at a significantly lower level than the Perth Road. Any significant redevelopment of this site would not provide effective coverage for the target cell area and accordingly this option is discounted.
- 7 02 - Riverside Drive - similar to 6) above.
- 8 "3" Streetworks at Wright Avenue - similar to 6) above
- 9 Riverside Business Park - whilst the business park does offer plenty potential for accommodating a new ground based proposal, similar to 6) above, the removed location of this property and its low lying topography would simply not allow for the provision of

effective coverage to the target area.

- 10 Existing Trees within the General Area - the possible strapping of antennas to existing trees within the area had been given consideration as a result of planning policies and sensitive land-uses within the area. However, signal infringement by the dense vegetation and branches would render any such solution almost ineffective. Also a willing provider could not be found. As a result this option was discounted.
- 11 Tree Mast at Seathwood, 365 Perth Road - initial proposal for a tree mast solution was refused permission in May 2006. No appeal was lodged due to the possible use of rooftop scheme at the host property being considered as a viable alternative.
- 12 Chimney Stack Extension to Seathwood, 365 Perth Road - prior to nominating the subject design the possible use of a GRP chimney stack extension scheme upon the rooftop of the Seathwood building was considered as an alternative. However, indicative drawings of the proposals did not receive the support from representatives of the planning department due to the potential adverse impact on the character of both the existing building and the surrounding area.
- 13 Flagpole Scheme, Seathwood, 365 Perth Road - negotiations with the site provider has failed and this option has been discounted.
- 14 Various streetworks of Perth Road (West) - Similar to 2) above.
- 15 Ninewells Garage, 570 Perth Road - as one of the few non-residential properties within the western sections of Perth Road this property was viewed as a potential site option. However, site owner unwilling to enter into leasing negotiations and accordingly, this option was discounted.
- 16 Various streetworks, River Crescent - notwithstanding the potential impact such a proposal

would have on this residential area, the land is very low lying in terms of the local topography. As such a new development within this area would not allow operators to effectively address the present coverage deficit. This option has been discounted.

- 17 Various streetworks, Newhall Gardens - as with 16) above.

SITE DESCRIPTION

The site under consideration is located on the east side of Glamis Road, directly opposite its junction with Carseview Gardens. Glamis Road runs relatively steeply in a north direction towards the Perth Road.



The location of the mast is on a footway adjacent to a 2.3 metre high stone wall. To the north is an access leading off Glamis Road into a TA centre (Seathwood). To the south there is a row of mature trees located to the inside of the stone boundary wall. There are currently a number of street lighting columns and street trees evident on Glamis Road.

The surrounding area is predominantly residential in character.

The site is located within the West End Suburbs Conservation Area.

There are several listed buildings located to the east of the site (Seathwood, Duncraig).

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 - 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.

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.

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

There are no recent planning applications for this site that are of relevance to the determination of this application. A similar planning application for the erection of a telegraph pole telecommunications mast structure was approved by the Development Quality Committee for a site located some 135 metres to the south on land adjacent to 518 Perth Road (07/00110/FUL - approved 26 March 2007)

PUBLIC PARTICIPATION

The application was the subject of the statutory neighbour notification procedure and three objections to the proposals have been submitted. The main objections to the development relate to:

- 1 The application is contrary to Policy 1 of the Dundee Local Plan Review 2005 by virtue of the adverse effect the proposal will have on the environmental qualities enjoyed by local residents.
- 2 The application is contrary to Policy 61 of the Plan as it fails to preserve and enhance the area.
- 3 The application is contrary to Policy 78 of the Plan as there is a failure to mast share.

- 4 The application is contrary to Policy 2 of Non Statutory Policies in relation to Telecommunications where there is a presumption against ground based masts.

Members will already have had access to the above letters and it is intended to comment on the various issues raised in the 'Observations' and 'Material Considerations' sections of this report below.

CONSULTATIONS

There have been no adverse comments from consultees.

OBSERVATIONS

Statutory Requirements

In accordance with Section 25 of the Town and Country Planning (Scotland) Act 1997 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.

In accordance with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the Council is required to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

In accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the Council is required to have special regard to the desirability of preserving and enhancing the character or appearance of the conservation area

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 proposal involves the erection of a 14.2 metre high telegraph pole type of telecommunications structure that will accommodate 3 x 3G antennas. Associated equipment at the base of the mast is also proposed.

Policy 61: Development within 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 (ie lighting columns) and street trees, will have a neutral impact on the appearance of the area and will not impact adversely on the character or the setting of the Conservation Area. This neutral impact is further assisted by the backdrop of a row of mature trees that are located on the east side of Glamis Road. 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 the west end due to the residential character of the area, the large buildings, the sloping nature of a

number of sites, landscape features and the location of existing services below and above the footways. These characteristics play a large part in restricting options for the successful provision of new masts in the local area.

The submitted justification by the applicant advises that the site has been chosen as it is "set back from the main Perth Road Ambassador Route, upon which the cell area is based, upon a tributary road. Although the cell area is predominantly residential with topographical levels sloping from north to south, the site has been positioned below the brow of the hill and as far from any direct residential viewpoints as possible, making best use of the existing mature vegetation within the locale for back drop and screening purposes".

There are no available mast sharing opportunities at the 17 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.

To the east of the site there are several listed buildings (Seathwood, Duncraig). The location of the mast is considered to be sufficiently distant from these buildings so as not to adversely impact on their appearance, character or their setting. In this respect it is concluded that the statutory requirements under Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are discharged.

The statutory requirements under Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 have also been discharged in the assessment of the proposals against the criteria of the Development Plan above. The provision of the proposed mast will have a neutral impact on the character and the setting of the surrounding conservation area.

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 information has been provided and has been found to be 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 street works installations and street trees.

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

Objections

The proposed development has attracted three objections from local

residents based on the following grounds:

1 The proposal is contrary to Policy 1 by virtue of the adverse impact the proposal will have on the environmental qualities enjoyed by local residents.

It is considered that the location and the design of the proposed mast will have a minimal impact on the local area and will not adversely impact on the environmental qualities currently enjoyed by local residents.

2 The application is contrary to Policy 61 of the Dundee Local Plan as it fails to preserve and enhance the area.

This issue has been discussed and discharged in consideration of Policy 61 (Development in Conservation Areas) above. It was concluded that the proposal would have a neutral impact on the setting and the character of the conservation area and consequently the development was considered to be in accordance with the Local Plan.

3 The application is contrary to Policy 78 of the Plan as there is a failure to mast share

This matter has been discussed and discharged in consideration of Policy 78 above. The applicant has adequately demonstrated that there are no available opportunities to mast share on any of the 17 options outlined in the 'Description of Proposal' section of this report above.

4 The application is contrary to Policy 2 of the Non Statutory Policies in relation to Telecommunications where there is a presumption against ground base masts.

This matter has been discussed and discharged in the consideration of Policy 2 above. It is considered that the operators have justified the site selection and the mast selection process in accordance with this policy.

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 therefore recommended that planning permission be granted with conditions.

Design

The design of the mast is a replica telegraph pole which is considered to be acceptable in this area by virtue of its location, appearance, scale and neutral impact on the surrounding conservation area.

CONCLUSION

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 on telecommunications developments. The objections to the proposals by the local residents are not supported in this instance and the application is recommended for approval subject to conditions.

RECOMMENDATION

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 That the proposed ground based equipment cabinet and the associated development located at the base of the mast shall be finished in a colour that has been agreed in writing with the planning authority prior to the commencement of works. For the avoidance of doubt, the equipment shall be finished in such an approved colour prior to the first use of the mast
- 3 In the event the equipment becomes obsolete or redundant, it must be removed and the site reinstated to the satisfaction of the planning authority within six months of the redundancy.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to preserve the character and setting of the conservation area.

- 3 In order to preserve the character and setting of the conservation area.