

KEY INFORMATION**Ward** The Ferry**Proposal**

Erection of rooftop flagpole supporting three Vodafone and three O2 antenna within GRP shroud

Address

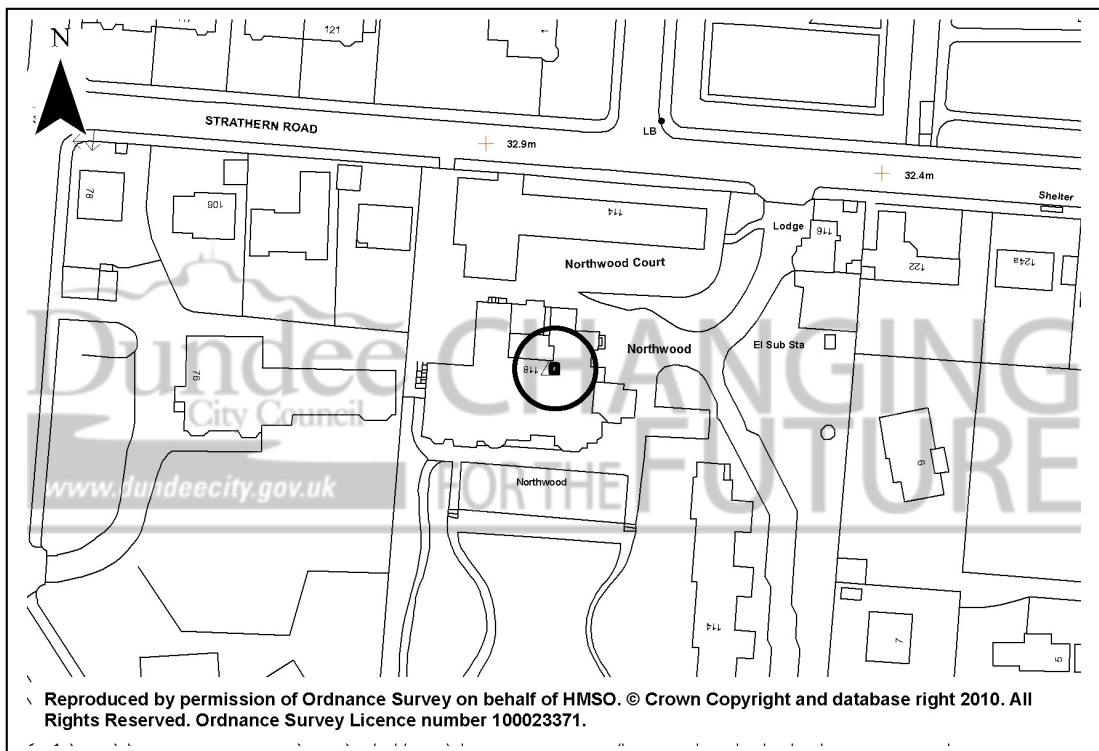
Northwood
118 Strathern Road
Broughty Ferry
Dundee

Applicant

Vodafone/O2 UK
The Connection
Newbury
Berkshire
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Agent

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Registered 23 Nov 2010**Case Officer** E Young

Proposed Flagpole Style Telecommunications Mast at Strathern Road

The erection of rooftop flagpole supporting three Vodafone and three O2 antenna within GRP shroud is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The proposed telecommunications mast will contain antenna for two separate operators and will replicate a flagpole, which was originally located on this tower. The development complies with the relevant policies in the Dundee Local Plan Review 2005, the Council's own Non-Statutory Policies and the national planning guidance. The objections are not supported for the reasons given in the report. The application is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for a 6.5m high, flagpole-style telecommunications mast on the tower of this building to accommodate three Vodafone and three O2 antennae. The mast will be 275mm in diameter. The tower, which previously had a similar flagpole, is 13.9m high. The original villa dates from 1880; is Listed Category B; lies within the West Ferry Conservation Area and is now in use as offices. The development in the grounds and the surrounding area is residential. Four alternative sites were investigated for ground based masts.
- Two valid objections were received on grounds of the impact on Listed Building and Conservation Area. They are not supported as it is considered that the flagpole design would preserve the character and appearance of the Listed Building and the Conservation Area.
- The proposal complies with the Dundee Local Plan Review 2005; the Council's "Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus" and national planning guidance.
- The application has been referred to the Development Management Committee for determination at the request of a local Member.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the installation of a rooftop flagpole-style telecommunications mast on the tower of this building to accommodate three Vodafone and three O2 antenna. The mast will be secured using a steel structure within the raised balustrade of the tower and ancillary equipment will be installed within the building in a 3rd floor room. The mast is 6.5m high and will be installed on a tower which is 13.9m high. It will be 275mm in diameter.

The application has been referred to the Development Management Committee for determination at the request of a local Member.

SITE DESCRIPTION

The application site is the tower of a former large villa on the south side of Strathern Road which is now in use as offices for a housing association. The former garden ground has also been developed for sheltered housing. The site lies within a well established residential area with mature landscaping. The original villa dates from 1880 and was extended in 1911. It is Listed Category B and lies within the West Ferry Conservation Area

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:

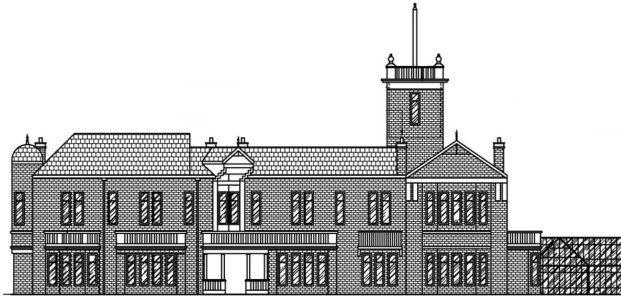
Policy 1: Vibrant and Sustainable Communities - the site is in an existing housing area and this policy seeks to protect the environmental quality enjoyed by local residents.

Policy 60: Alterations to Listed Buildings - the alteration will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character.

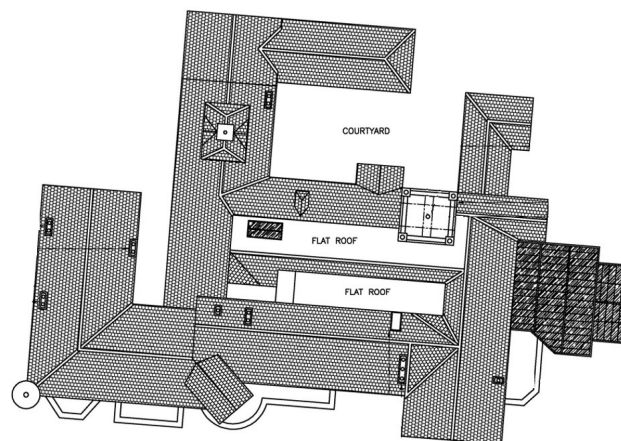
Policy 61: Development in Conservation Areas - proposals should

preserve or enhance the character of the surrounding area.

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. Where mast share is not feasible alternative solutions will be assessed with the objective of minimising the environmental impact on the city. The policy adds that the Council's supplementary guidance on masts will be a material consideration.



Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

Scottish Planning Policy (SPP)

Planning Advice Note (PAN) 62- Radio Telecommunications

Scottish Historic Environment Policy (SHEP)

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

"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; a justification against alternative proposals considered and the prospects for mast sharing; and a justification for free standing proposals as opposed to siting apparatus on buildings.

Policy 10: Listed Buildings Apparatus may be located on a listed building providing other options have been evaluated and the case for non-selection justified and, in consultation with Historic Scotland, the Council is satisfied that there will be minimal interference with the historic fabric and that any alterations are fully reversible.

Policies 2 and 11 deal with ground based masts and do not apply in this case. As the mast is to be installed on a Listed Building, Policy 12 of this document also does not apply.

SUSTAINABILITY ISSUES

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

SITE HISTORY

There is no relevant site history.

10/00724/LBC the partner Listed Building application has yet to be determined.

PUBLIC PARTICIPATION

The application was the subject of statutory Neighbour Notification and two valid objections were received to the impact of the development on the Listed Building and Conservation Area. A further four invalid objections were received from neighbours who stated that the building is listed, the site is in a Conservation Area and is surrounded by sheltered housing and nursing homes. No planning reasons for their objections were given.

CONSULTATIONS

There were no adverse comments from consultees. The partner Listed Building application has been referred to Historic Scotland but no response has yet been received.

OBSERVATIONS

Section 25 of the Act provides that an application for planning permission (other than for a national development) shall be determined in accordance with the development plan unless material considerations indicate otherwise.

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 1: Vibrant and Sustainable Communities - the site is in an existing housing area and this policy seeks to protect the environmental quality enjoyed by local residents.

The proposed mast is designed to look like a flagpole and is located on the 13.9m high tower of the building where a flagpole was originally located. The photograph in this report shows the original flagpole. It is considered that the proposal will have no adverse impact on the environmental quality enjoyed by local residents by reason of design, layout, parking and traffic movement issues, noise or smell.

Policy 60: Alterations to Listed Buildings - as noted above, the flagpole mast will replicate an original feature and will have regard to the preservation or enhancement of its architectural character.

Policy 61: Development in Conservation Areas - proposals should preserve or enhance the character of the surrounding area.

As noted above the design of the proposed mast will preserve the character of the building and the character of the surrounding area.

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. Where mast share is not

feasible alternative solutions will be assessed with the objective of minimising the environmental impact on the city. The policy adds that the Council's supplementary guidance on masts will be a material consideration.

The mast will accommodate antenna from two operators which will reduce the potential number of masts required to provide the necessary mobile phone coverage to this area of the city.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan provided it also complies with the Council's Supplementary Guidance as considered below.



Original Flagpole on Northwood

Other Material Considerations

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

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

Policy 1: There should be an operational justification for the location and design of the proposal; a justification against alternative proposals considered and the prospects for mast sharing; and a justification for free standing proposals as opposed to siting apparatus on buildings.

The supporting information states that the proposal is to provide 3G network coverage which requires antenna to be closer than the earlier 2G cell areas. On average, 3G cells are required to be located between 500 and 1,000m of each other. O2 have no existing 3G installations serving the Strathern Road area or the immediately surrounding areas.

Prior to the submission of this application, a number of alternative sites were investigated and the

application property was chosen as site 1, the preferred site. The remaining sites which were discounted were:

- 2 Ground based installation Servite Housing. It was considered that a ground based installation would have greater impact than the selected camouflage solution now proposed.
- 3 Streetworks, Strathern Road Pavement widths and underground services will restrict finding a suitable footpath location. Furthermore, a number of residential properties will have direct views of the installation, therefore making it a less favourable option.
- 4 Dawson Park, Caenlochan Road. Although Dundee City Council would be willing to enter into an agreement, following a technical assessment it was discovered that a site in this location would not provide the required coverage. This area has therefore been discounted as would not provide the necessary technical requirements.

- 5 Streetworks, Caenlochan Road. It was felt that the LPA would not look favourably on a street furniture installation in this area.

The mast is designed to look like a flagpole and, at 275mm diameter, is slightly larger than any pole that would have previously existed. There is evidence of a flagpole having been on the building. As it will be located around 20m above ground level, the difference in dimensions is unlikely to be noticeable to the casual observer.

Policy 10: Listed Buildings Apparatus may be located on a listed building providing other options have been evaluated and the case for non-selection justified and, in consultation with Historic Scotland, the Council is satisfied that there will be minimal interference with the historic fabric and that any alterations are fully reversible.

The proposed flagpole is of a design which has been installed in other Listed Buildings, it can be removed without affecting the fabric of the building and the impact on the Listed Building will be minimal.

The development does not fully comply with Policy 10 as the views of Historic Scotland have not yet been received but the material considerations of the design, location, visual impact and reversibility support the recommendation to approve the application.

It is concluded that the proposal complies with Policy 1 and Policy 10 of the Council's "Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus" and hence also fully complies with Policy 78 of the Dundee Local Plan Review 2005.

Scottish Planning Policy (SPP) and Planning Advice Note (PAN) 62 - Radio Telecommunications

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 SPP advise that high quality electronic communications infrastructure is an essential component of economic growth across Scotland. Planning authorities should support the expansion of the electronic communications network, taking into account the implications of not having full coverage or capacity in an area.

PAN 62 states that options should include installation of the smallest suitable equipment; concealing and disguising masts, mast or site sharing; installation on buildings and existing structures and installation of ground based masts.

The proposal complies with these options other than the last option of a ground based mast.

The SPP goes on to advise that planning authorities should not question whether the service to be provided is needed nor seek to prevent competition between operators. To demonstrate that the known health effects have been properly addressed, applications should be accompanied by a declaration that the equipment and installation is designed to be fully compliant with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation. This application has the appropriate ICNIRP certificate.

For the same reasons as set out in the assessment of the proposals against the relevant policies of the adopted Local Plan, it is considered that the proposals

also comply with Government guidance on the siting and design of masts.

SHEP Scottish Historic Environment Policy.

The SHEP notes that it is the duty of the planning authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area when exercising its powers under the planning legislation. As noted above, this has been taken into account.

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

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 the listed building or its setting or any features of special architectural or historic interest which it possesses.

Section 64 of the Act requires planning authorities, in considering applications in Conservation Areas to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

This matter has already been considered in the assessment of the proposed development under Policies 60, 61 and 78 of the adopted Local Plan and it was considered that the proposal would preserve the character and appearance of the Listed Building and the adjoining Conservation Area.

Objections

Two valid objections were received on the following grounds:

- 1 The development will spoil the listed building. As noted above, the design has been chosen to complement the building and replicate a flagpole which previously existed. The development will not damage the fabric of the listed building.
- 2 The development would be against all restrictions applying to a Listed Building in a Conservation Area. As noted above, the proposal does comply with the relevant policies and the national planning guidance.

Invalid objections have been submitted by local residents stating that the

building is Listed, the site is in a Conservation Area and the surrounding area includes a number of nursing homes. No planning reasons for the objections were given.

However, concerns about health matters are commonly raised by local residents and it is inferred that neighbours have concerns on health grounds. These issues have been widely discussed by Government and other bodies. However, the SPP 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.

It is recognised that there can be a degree of public concern about the siting and design of base stations and therefore stresses the importance of good siting and design and the need to consider alternative sites. This process has been undertaken in this case.

Therefore although the Council is entitled to take concerns about health matters into account, in this case an ICNIRP certificate has been submitted and it is not considered that there are any exceptional circumstances here that would justify refusing the proposed development on health grounds.

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

As noted, the mast has been designed to replicate a flagpole which previous existing on the building and is shown in the photograph in this report.

CONCLUSION

The proposed telecommunications mast takes the form of a traditional

flagpole which is 6.5m tall and will be located at the top of a square tower at this Category B Listed building. The tower is 13.9m high and a flagpole was located on this building in the past. The mast is 275mm in diameter and will contain antenna for twoparate operators to provide 3G service to the local area. Alternative sites were investigated but this was considered to be the best solution given the residential nature of the surrounding area and the high quality of visual amenity represented by the Conservation Area status. The application site is a Category B Listed Building but the style of mast has been specifically chosen to complement the appearance of the building whilst ensuring that the equipment could be removed in future without any adverse impact on the fabric of the building. The development complies with the relevant policies in the Dundee Local Plan Review 2005, the Council's own Non-Statutory Policies and the national planning guidance. The objections are not supported for the reasons given in the report.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition:-

- 1 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 six months of the redundancy.

Reason

- 1 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.