

KEY INFORMATION**Ward** Lochee**Proposal**

Proposed erection of 21 metre high monopole including 3 No 02 antenna, 2 No 600m transmission dishes and equipment cabinet within 1.8m high palisade

Address

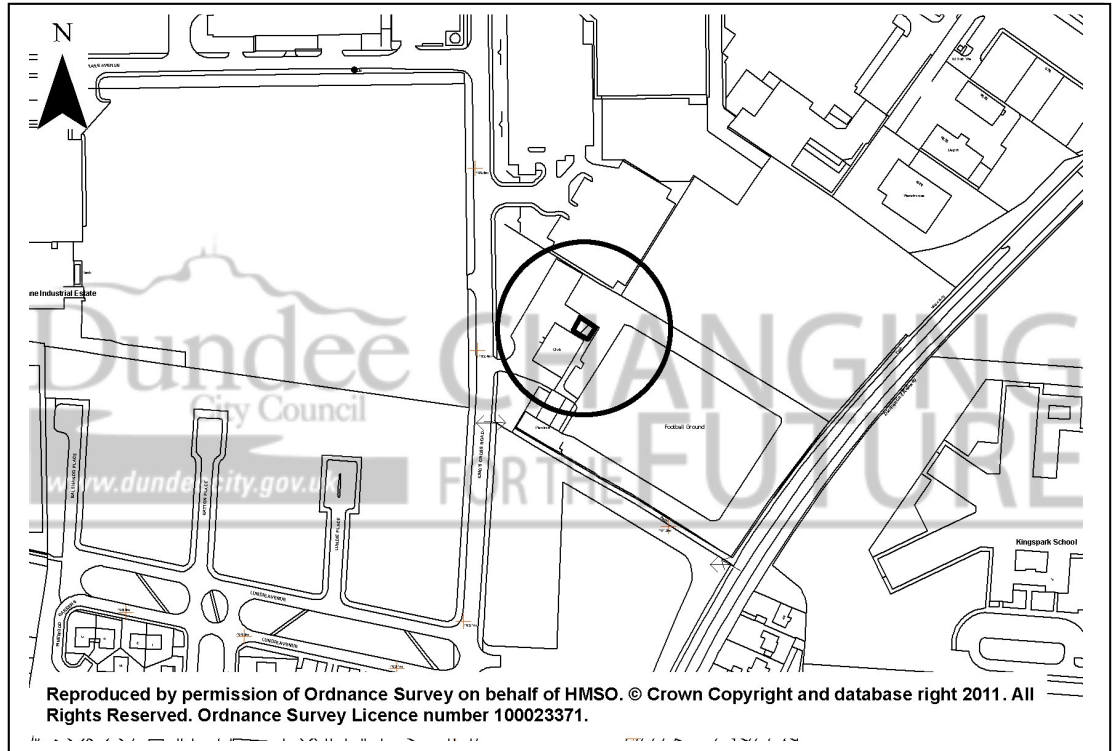
St Francis Amateur Boxing and Sporting Club
Beechwood Park
Kings Cross Road

Applicant

Vodafone/O2 UK The Connection
Newbury RG14 2FN

Agent

Mr Andrew Swain
A A and K Solutions Ltd
31 Churchill rive
Bishopton PA7 5HF

Registered 21 Jan 2011**Case Officer** Eve Young

Telecommunications Mast at Kings Cross Road

The proposed erection of 21 metre high monopole including 3 No 02 antenna, 2 No 600m transmission dishes and equipment cabinet within 1.8m high palisade is **RECOMMENDED FOR REFUSAL**. Report by Director of City Development.

RECOMMENDATION

The proposed mast complies with Policy 78 in the Dundee Local Plan Review but fails to comply with the Council's Adopted "Non Statutory Policies in relation to Telecommunication Masts and other Apparatus" in respect of the site selection process and the scale and design of the mast. No residential properties required to be notified and there were no objections. It is considered that the material considerations support **REFUSAL** of the planning application contrary to the Development Plan.

SUMMARY OF REPORT

- Planning permission is sought for the erection of a 21 metre high telecommunications mast including an array of 6 antenna and 2 dishes with an equipment cabinet and power cabinet enclosed within a 1.8m high palisade fence.
- The site lies to the north of the St Francis Amateur Boxing and Sporting Club and to the west of the Lochee Harp Football ground, east of Kings Cross Road. The B&Q Superstore lies to the north. A large residential care complex is currently under construction on a site 80 metres to the south and the nearest houses are 170 metres away to the south east. The site is close to the busy junction with Clepington Road and the Kingsway. The adjacent trees are 8 metres high and the nearby lighting column is 10 metres tall.
- The application requires to be referred to the Development Management Committee for determination as the site is owned by the City Council. The application was advertised due to the height of the proposed mast. No residential properties required to be notified as neighbours and there were no objections.
- The proposed mast complies with Policy 78 of the Dundee Local Plan Review but fails to comply with the Council's Adopted Non Statutory Policies as the justification for the site selection and the proposed scale and design of the mast is considered to be insufficient to support the application.

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 78: Location of Telecommunications Equipment - "In general, operators are encouraged, where appropriate, 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 Councils supplementary guidance on masts will be a material consideration."

The mast will accommodate antenna from two operators to provide the necessary 3G mobile phone coverage to this area of the City. However, the mast sharing makes it larger and more obtrusive having a potentially detrimental affect on the visual amenity of the local area. However as the mast does provide for mast sharing, the question of the environmental impact on the City does not apply and it is considered that, for this reason, the application complies with Policy 78.

The Local Plan makes a distinction between playing fields and sports pitches and other types of open space. This site is identified as Open Space but is ancillary land, adjacent to the boxing club premises and football ground and has no formal recreation use.

Policy 66B: Protection of Other Open Space applies in this case. The policy does not support the development or redevelopment of other open space unless the broad principles of Policy 66A are satisfied but that policy relates to loss of open space and provision of acceptable replacement facilities. This development does not involve loss of recreation open space or facilities. Policy 66B also requires the proposals to comply with an approved strategy or masterplan to improve the management of open space. There is an approved Open Space Strategy which does not address specific sites and will be followed by local reviews of open space provision. Thereafter, there may be changes to the provision of open space. However, the scale and location of the proposed

development has no significant impact on the management of this small part of a small recreation area or the facilities provided for the community on this site and it is concluded that the proposal does not breach the terms of Policy 66B.

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

Other Material Considerations

"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 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 for this part of the City. On average, 3G cells are required to be located between 500 and 1000m of each other. There are no suitable buildings or structures which could accommodate the antenna.

Prior to the submission of this application, a number of alternative sites were investigated and the application property was chosen as the preferred site. The remaining sites which were discounted were:

- 1 Land to rear of 328C Clepington Road. This site strikes a good balance between operational requirements of Vodafone and planning considerations but is discounted in favour of the application site.
Comment: no reason is given for the selection of the application site rather than site 1.
- 2 Martex Cash and Carry, Clepington Road. A number of approaches made to the site owner but no response.
- 3 B & Q Superstore. Does not allow telecommunications on their property.
- 4 Land at Dunsinane Industrial Estate. Various sites were investigated but as the estate is subject to redevelopment it is not suitable at this time.

Comment: Dunsinane Industrial Estate is a large expanse of industrial land with few large trees to block signals. There are no redevelopment plans proposed or approved for the site which would justify its complete removal from the site selection process.

- 5 Land to west of Kings Cross Road, west of the site. This site strikes a good balance between operational requirements of Vodafone and planning considerations but is discounted in favour of the application site.
Comment: This site is part of Dunsinane Industrial Estate but has not been discounted. It has a valid planning permission for car sales which was not taken into account.
- 6 Parkside Vets, Kings Cross Road. An agreement could not be reached with the owners.
- 7 Street works solutions at Foggyley Gardens, Lundie Avenue and Harefield Avenue were all discounted due to the residential nature of the sites, the restricted pavement widths and the presence of both overhead and underground services.

Justification of scale and design - the statement also advises that the height of the proposed mast is required to enable the antenna to transmit signals without being impeded by buildings or vegetation and to integrate within the network. The pre-application submission was for a lattice type mast which was changed to a monopole at the Council's request. However the design includes an external array of antenna which makes the mast visually very obtrusive. Whilst the site is a mixed commercial; industrial and recreational area, a new residential care complex is under construction to the south and the site is on a busy distributor road which carries high volumes of traffic to and from the nearby Kingsway.

The agent advises that due to the lack of available sites to serve the area, the structure is required to be very tall to provide network coverage. The submitted coverage plans for O2 services show the coverage provided by a 15 metre high mast would serve the area to the east and north comparable to the coverage provided

by the 21 metre mast. Coverage of the industrial area to the west would be reduced from the top level category to the second top category. The main difference between the 15 metre mast and the 21 metre mast is the coverage provided to the land to the south, around St John's School. This would appear to be affected by the belt of mature trees approximately 25 metres tall which lie to the south of the football ground. The coverage plans for Vodafone services does not show such marked differences between the 3G coverage from a 15 metre high mast to a 21 metre high mast.

At 21 metres, the mast is not screened by the surrounding trees which are approximately 8 metres tall and the taller trees (approx 25 metres) lie 80 metres away to the south. When travelling to and from the Kingsway, the mast will be a very obvious feature due to its size and design. As noted above, a significant area of industrial land has been discounted from the site selection process which results in the requirement to install such a tall structure,

It is considered that the detailed justification provided for both the location and the design, is insufficient to meet the requirements of Policy 1.

Policy 7: Public Parks and Public Open Spaces. There will be a presumption against the location of telecommunications masts and related apparatus within areas of open space.

The site is identified as open space in the Dundee Local Plan Review 2005; however, a judgement requires to be made regarding the application of policy 7 of the supplementary guidance. Policy 7 relates to Public Parks and Public Open Spaces and goes on to refer to existing public parks, existing or proposed public open spaces, play areas and areas of designed or historic landscape. This listing of types of open space is based on the use of the land rather than the simple designation in the Local Plan. It is considered that the Non-Statutory policy applies to formal parks and formal open spaces used by the public. The application site is a yard to the side of a building used for recreation, adjacent to a football ground. The site has no formal or informal recreation or open space uses. Accordingly, it is considered that Non-Statutory Policy 7 does not apply to this site.

Policy 15: Mast Sharing and Design Issues. The Council will encourage opportunities for mast sharing subject to satisfactory location and design. As noted above, the mast does involve mast sharing which makes it larger and more obtrusive having a potentially detrimental affect on the visual amenity of the local area. A slimline mast must have the antenna one above the other resulting in taller structures. Mast sharing with antenna on the same level requires either the provision of a bulbous shroud on top of a monopole or the use of external antenna as proposed at this site. Whilst mast sharing is encouraged, it results, in this case, in a very tall structure with a large array of external antenna.

Whilst this is a location detached from residential properties, in a commercial area, Kings Cross Road is a busy location carrying large amounts of traffic to and from the Kingsway and to the adjacent B and Q superstore. It is considered that the size and design of the mast will be a very significant feature in the area, out of scale with the nearby street lighting columns (10 metres) and trees (8 metres).

It is concluded that the proposal fails to comply with Policies 1 and 15 of the Council's "Non Statutory Planning Policies in relation to Telecommunications and Other Apparatus" as the location and design of the proposed mast has not been fully justified.

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

The SPP advises 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 guidance states that "The fundamental principle in siting and designing equipment is to minimise the contrast between the equipment and its surroundings". It suggests a series of

options for site and design selection. In respect of mast sharing, the PAN notes that sharing can result in larger, more visually obtrusive installations and smaller installations spread through an area may have less impact.

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. The above consideration does not question the need to provide mobile phone services but addresses the planning issues of the location and design of the proposed mast.

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.

It is considered that the proposal does not fully comply with the guidance for the reasons given above.

It is concluded from the foregoing that the material considerations support refusal of the application contrary to the Development Plan.

Design

As noted, the mast is a large, 21 metre high monopole with 6 antennas and 2 transmission dishes on the upper section of the pole. The mast will be finished in galvanised steel and there will be 2 associated cabinets. The mast; cabinet and electrical meter are all to be contained within a 1.8m high metal palisade fence compound.

The proposed mast is of a functional design with an external array of antennae and dishes which are not contained in a shroud. The mast will be substantially taller than the adjacent trees (8 metres) and the nearby lighting column (10 metres). It is considered that the proposal will be out of character with the area by reason of its design, scale and location.

CONCLUSION

The proposed mast complies with Policy 78 of the Dundee Local Plan Review as the mast provides for two operators to share but fails to comply with the Council's Adopted Non

Statutory Policies and the National Planning Guidance on Telecommunications masts has not been followed. There were no objections. It is considered that the material considerations support refusal of the application contrary to the Development Plan.

RECOMMENDATION

It is recommended that consent be REFUSED for the following reasons:

Reasons

- 1 The proposed development is contrary to Policy 1 of Dundee City Council's adopted Non-Statutory Planning Policies in Relation to Telecommunications Masts and Other Apparatus as the applicant has failed to provide sufficient justification in support of the application by investigating all alternative sites and designs in order to minimise the visual impact of the proposals.
- 2 The proposed development is contrary to Policy 15 of Dundee City Council's adopted Non-statutory Planning Policies in Relation to Telecommunications Masts and Other Apparatus although the applicant has provided a mast share solution it fails meet the required site location and design controls required elsewhere in these policies.