

**KEY INFORMATION****Ward** North East**Proposal**

Replacement of existing 15m tall O2 3G monopole with to accommodate Vodafone/O2 2G/3G antenna within GRP shroud plus 2 additional cabinets

**Address**

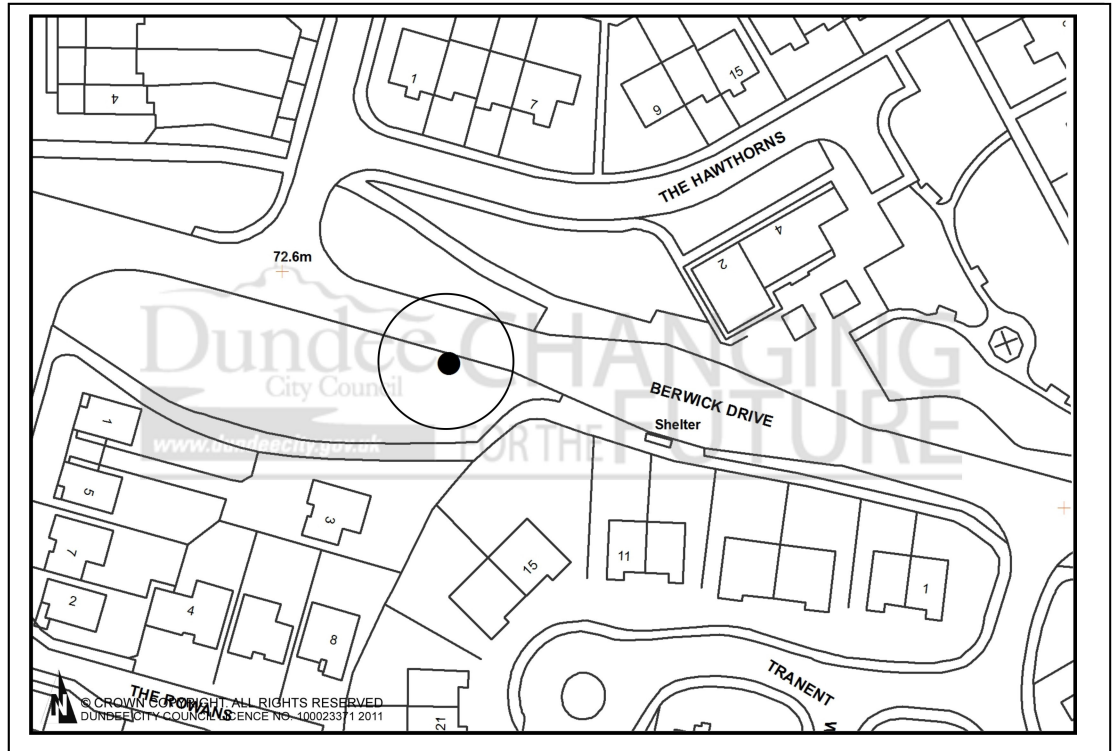
Land to South of Berwick Drive  
Dundee

**Applicant**

Vodafone/O2 UK The Connection  
Newbury  
Berkshire RG14 2FN

**Agent**

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

**Registered** 7 March 2011**Case Officer** Paul Macari

# Telecommunications Mast at Berwick Drive

The Replacement of existing 15m tall O2 3G monopole with 17.5m tall monopole to accommodate Vodafone/O2 2G/3G antenna within GRP shroud plus 2 additional cabinets is **RECOMMENDED FOR REFUSAL**. Report by Director of City Development.

**RECOMMENDATION**

The proposals fail to satisfy the requirements of the Development Plan. The concerns of the Objector are not supported. It is therefore recommended that the application is **REFUSED**.

**SUMMARY OF REPORT**

- This application seeks planning permission for the installation of a replacement 17.5m high dual user monopole supporting Vodafone and O2 2G and 3G antenna within a GRP shroud and the installation of 2 equipment cabinets on land to the south of Berwick Drive, Dundee.
- Policy 1 (Vibrant and Sustainable Communities) and Policy 78 (Location of Telecommunications Equipment) of the Dundee Local Plan Review 2005 and the Council's Non-statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006, are relevant to the outcome of this planning application.
- 1 letter of objection has been received from a neighbouring resident. The concerns raised include impact upon visibility at the junction between Salton Crescent and Berwick Drive when the telecommunications installation is being serviced and the impact an additional equipment cabinet shall have on visibility at this junction.
- The concerns of the objector are not supported.
- The proposals are contrary to the requirements of the Development Plan and the Council's Non-statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

## DESCRIPTION OF PROPOSAL

This application seeks planning permission for the installation of a replacement 17.5m high dual user monopole supporting Vodafone and O2 2G and 3G antenna within a GRP shroud and the installation of 2 additional equipment cabinets on land to the south of Berwick Drive, Dundee.

The proposals involve a dual operator telecommunications installation whereby Vodafone and O2 are systematically removing and upgrading their existing installations across the City.

The applicant has submitted supporting information in the form of a planning statement, site specific supplementary information and the required ICNRP certification.

In accordance with the Council's mandatory scheme of delegation this application requires to be reported to the Development Management Committee as the Council is land owner of the application site.

## SITE DESCRIPTION

The site comprises the roadside verge on the south side of Berwick Drive between its junctions with Salton Crescent. There are street lighting columns on this side of the road some 10 metres high on either side of the application site. The footpath is remote from the road at this location, running alongside the high garden walls and fences of dwellings at Salton Crescent. A small area of open space is enclosed between Berwick Drive and the footway and there is a small copse of trees just to the south of the site.

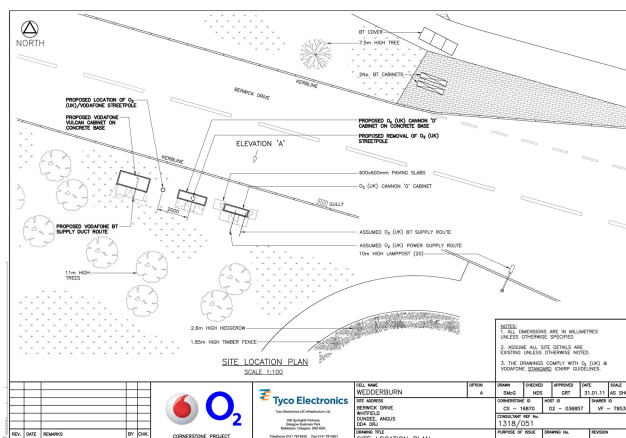
The nearest house to the proposed mast is the dwelling at 3 Salton Crescent some 19 metres distant. It presents a side gable elevation to the site with a single window at the upper level.

There is an existing 15m high monopole on site supporting 3 O2 and 3 Vodafone antenna and 2 associated equipment cabinets.

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

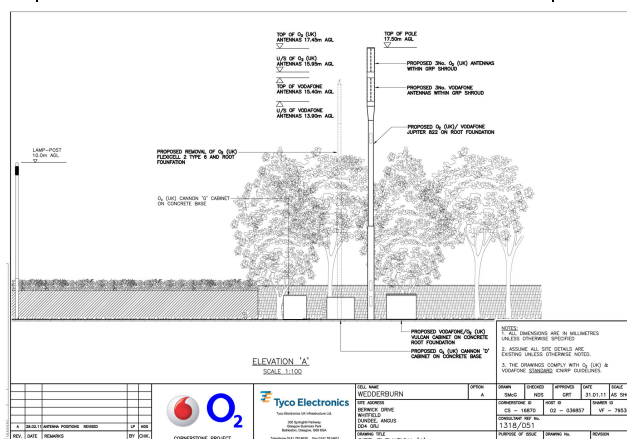
There are no policies relevant to the determination of this application.



### Dundee Local Plan 2005

The following policies are of relevance:

Policy 1: (Vibrant and Sustainable Communities) - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development 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 virtue of design, layout, parking and traffic movement issues, noise or smell.



Policy 78: (Location of Telecommunications Equipment) - this encourages, amongst other things, Operators to share existing masts in order to minimise the environmental impact on the city. This Policy 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.

## Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

The Scottish Planning Policy 2009.

PAN 62: Radio Telecommunications.

## Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

## SUSTAINABILITY ISSUES

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

## SITE HISTORY

Planning application ref: 06/00238/FUL sought planning permission for the erection of a 15m high street works monopole and 2 no equipment cabinets and meter cabinet at the foot of the monopole. This application was refused planning permission by the Council's Development Management Committee in May 2006. Planning permission was later granted on appeal.

Planning application ref: 10/00399/FULL sought permission to upgrade the existing 15m tall monopole with a revised pole type, (also 15m tall) to accommodate Vodafone 3G antenna, in addition to the existing O2 3G

antenna together with an additional equipment cabinet. This application was approved by the Development Management Committee in September 2010.

The proposals approved by planning application ref: 10/00399/FULL was then subject to further upgrade

proposals to accommodate Vodafone 2G technology by the use of 3 tri-band antenna within the approved shroud, this upgrade required the use of a modified cabinet type which together with the antenna upgrade was approved as a non material variation under Section 64 of the Town and Country Planning (Scotland) Act 1997 as amended on 12 October 2010.

The current proposal seeks to further upgrade the existing installation to accommodate 2G technology for O2. The applicant stipulates that the constraints imposed by the requirement for 2G and 3G technologies for both O2 and Vodafone require that the existing 15m tall mast be replaced with a 17.5m tall mast to allow for the installation of a stacked array of O2 2G/3G over Vodafone 2G/3G antenna all within a shroud and the installation of further equipment cabinets.

## PUBLIC PARTICIPATION

The Council has followed the statutory neighbour notification procedures stipulated by the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2008. In total 3 neighbouring dwellings were notified. 1 letter of objection has been received from a neighbouring resident concerned about the impact of the additional equipment cabinet and servicing arrangements for the existing telecommunications installation on visibility at the junction between Salton Crescent and Berwick Drive.

## CONSULTATIONS

No adverse comments have been received from Consultees.

## 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 other material considerations indicate otherwise.

## The Development Plan

Policy 1: (Vibrant and Sustainable Communities) supports proposals within residential areas that seek to minimise any adverse impacts on the level of environmental quality afforded to neighbouring properties by virtue of

design, layout, parking and traffic movement issues, noise or smell.

In terms of noise or smell, the proposed telecommunications installation shall not impact upon the level of environmental quality afforded to neighbouring properties.

However, by virtue of design and layout the proposed telecommunications installation shall adversely affect the level of environmental quality afforded to neighbouring properties.

The proposed telecommunications mast shall be located within 19m of the property at 3 Salton Crescent and with a height of 17.5m and a diameter of 0.48m at a height of 13.98m above ground level, the mast shall be clearly visible above the copse of trees to the south of the application site that have a maximum height of 11m above ground level. In this instance, the scale, massing and proximity of the proposed mast shall have an adverse impact upon the outlook of the north and west facing windows of the properties at 3 and 15 Salton Crescent and an overbearing impact on the northern outlook of neighbouring properties.

In addition, due to the topography of the surrounding area the proposed 17.5m high telecommunications mast shall be visible from properties on the southern side of Salton Crescent and on the northern side of Berwick Drive including The Hawthorns. Given the unorthodox scale and massing of the telecommunications mast and the prominence of the application site the proposed telecommunications installation shall adversely affect the suburban character of the Berwick Drive streetscape and consequently the level of environmental quality afforded to the surrounding neighbourhood.

In terms of traffic movement and parking issues, the application site is located outwith the visibility splays afforded to the junctions between Salton Crescent and Berwick Drive and therefore the existing and proposed equipment cabinet(s) shall not adversely affect the level of visibility afforded to drivers exiting Salton Crescent on to Berwick Drive.

By virtue of the scale and massing of the proposed development and the proximity of the application site to neighbouring residential properties the proposals shall adversely affect the level of environmental quality afforded

to properties on Salton Crescent, Berwick Drive and The Hawthorns. The proposals therefore fail to satisfy the requirements of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005.

Policy 78: (Location of Telecommunications Equipment) encourages, amongst other things, Operators to share existing masts in order to minimise the environmental impact on the city. This Policy 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 section of this report headed Other Material Considerations.

The proposed mast will accommodate antenna from two operators providing 2G and 3G network coverage to this area of the city.

It is considered that the applicant's agent has satisfied the relevant requirements of Policy 78 (Location of Telecommunications Equipment) of the Dundee Local Plan Review 2005.

It is concluded from the foregoing that the proposals do not comply with the provisions of the development plan.

## Other Material Considerations

### a Supplementary Planning Guidance

Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

Policy 1: There should be an assessment of the operational justification, alternative sites, the options for mast sharing or use of buildings and the cumulative impact of individual proposals where other telecommunications developments are present nearby.

The applicant's agent has submitted the necessary ICNIRP Certificate with regard to the operation of the mast and a statement of justification in support of the application.

The Supporting Statement submitted by the applicant states

that the proposal is to provide 2G and 3G network coverage for this part of the City. On average, 3G cells are required to be located between 500m and 1,000m of each other. The applicant has not submitted any information justifying the location or design of the proposed 17.5m high telecommunications mast or any information to demonstrate that there is an operational need for the telecommunications installation proposed. Instead, the supporting statement dictates that in accordance with SPP 2009 and PAN 62 the use of an existing site for mast sharing complies with statutory and national guidance on site selection and that the operators consider the design and location of the proposed telecommunications development to be appropriate.

It is acknowledged that the use of existing telecommunications sites can reduce the number of telecommunications installations across the City and the re-use of existing sites should be considered when upgrading mobile phone technology. But, given the limited range of 3G technology and recent pre-application correspondence between the Applicant and the Council for the installation of additional Vodafone and O2 installations within Whitfield there is also the potential for operators to increase the number of masts installed across the City to provide network coverage. The supporting information fails to demonstrate that there is an operational requirement to upgrade the existing telecommunications installation on land to the south of Berwick Drive or that the existing mast could be altered to provide 2G and 3G network coverage for O2 and Vodafone. In addition and contrary to the requirements of SPP 2009 and PAN 62 the supporting statements fail to demonstrate through an appraisal of alternative sites that the application site is the most suitable location for the form of telecommunications installation proposed.

The supporting statements also fail to demonstrate that the form of the telecommunications installation proposed by virtue of scale, massing and design shall not adversely affect the level of environmental quality afforded to neighbouring residential properties and the Berwick Drive streetscape.

The proposals therefore fail to satisfy the requirements of Policy 1 of the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

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 considered under Policy 1 of the Adopted Local Plan, the mast is of a design and scale that is out of character with the area. The insensitive location of the mast in such close proximity to the residential area will have a detrimental impact on the environmental quality of residents.

No details of discounted sites or an operational justification for the chosen location and design of the proposed telecommunications installation has been submitted as part of this planning application.

The proposals therefore fail to satisfy the requirements of Policy 2 of the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

Policy 15: Mast Sharing and Design Issues. The Council will encourage

opportunities for mast sharing subject to satisfactory location and design

The proposals seek planning permission to continue mast sharing on the application site. However, given the significant differences in scale and massing

between the existing and proposed masts the application site by virtue of its proximity to housing is not considered appropriate for the proposed development.

The proposals therefore fail to satisfy the requirements of Policy 15 of the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

The proposed development does not comply with the relevant policies contained within the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2006.

## **b National Policy and Guidance**

SPP 2009 and PAN 62 require telecommunications equipment to be designed and positioned as sensitively as possible.

The supporting information does not demonstrate that the design of the proposed telecommunications installation is the most suitable for the location chosen. In addition the supporting information fails to demonstrate that the application site is the most suitable location for the proposed telecommunications installation given the proximity of the site to housing and the significant differences in scale and massing of the existing and proposed telecommunications installation.

The proposals therefore fail to adhere to the guidance contained within the Scottish Planning Policy 2009 and PAN 62.

## **c Views of the Objector**

1 letter of objection has been received from a neighbouring resident. The concern raised relates to the proposed equipment cabinet and servicing arrangements and their impact upon visibility at the junction between Salton Crescent and Berwick Drive.

As detailed in the assessment of the proposals against Policy 1 of the Adopted Local Plan above, the proposed equipment cabinet in combination with the 2

existing equipment cabinets shall not adversely affect visibility at the junction between Salton Crescent and Berwick Drive. This is because the existing and proposed equipment cabinets are located outwith the visibility splays afforded to the junctions between Salton Crescent.

There are no parking restrictions on Berwick Drive in the vicinity of the application site to prevent service vehicles from parking adjacent to the application site. In addition due to the speed restrictions in force on Berwick Drive there is sufficient visibility at the junction between Berwick Drive and Salton Crescent to allow vehicles to exit Salton Crescent safely when the telecommunications installation is being serviced.

The concerns of the Objector are not supported.

It is concluded from the foregoing that the material considerations support refusal of planning permission. It is therefore recommended that planning permission is refused.

## Design

The scale, massing and design of the proposed replacement telecommunications mast in combination with the location of the application site shall adversely affect the level of amenity afforded to neighbouring residential properties.

## CONCLUSION

The proposals fail to satisfy the requirements of the Development Plan. The concerns of the Objector are not supported. It is therefore recommended that planning permission is refused.

## RECOMMENDATION

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

### Reasons

- 1 By virtue of scale, massing, design and proximity to existing housing on Salton Crescent the proposed 17.5m high telecommunications mast shall have an overbearing impact on the suburban streetscape of Berwick Drive and shall

adversely affect the outlook of neighbouring residential properties at Salton Crescent and The Hawthorns. The proposals shall adversely affect the level of environmental quality afforded to the suburban neighbourhood surrounding the application site and are therefore contrary to the requirements of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the provisions of the Development Plan to grant planning permission.

- 2 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 for the proposed development and has failed to investigate all alternative sites and designs in order to minimise the visual impact of the proposals.
- 3 The proposed development is contrary to Policy 2 - "Residential Areas" of the Council's adopted Non-statutory Planning Policies in Relation to Telecommunications and Other Apparatus as there is a general presumption against the siting of free standing masts in residential areas unless the mast is sensitively designed and sufficient justification is provided. The level of supporting information submitted does not demonstrate that the proposed mast has been sensitively designed or located to minimise the impact on the surrounding residential environment and visual amenity.
- 4 The proposed development is contrary to Policy 15 "Mast Sharing and Design Issues" of the Council's adopted Non-statutory Planning Policies in relation to Telecommunications Masts and Other Apparatus because the scale and design of the shared mast is considered to be out of character with the surrounding area and to be insensitively located in the residential area.