

KEY INFORMATION

Ward North East

Proposal

Erection of single 15m tall replica flagpole to support three Vodafone and three Telefonica 3G antenna within GRP shroud and one outdoor cabinet

Address

Whitfield Bowling and Sports Club
Summerfield Avenue
Dundee

Applicant

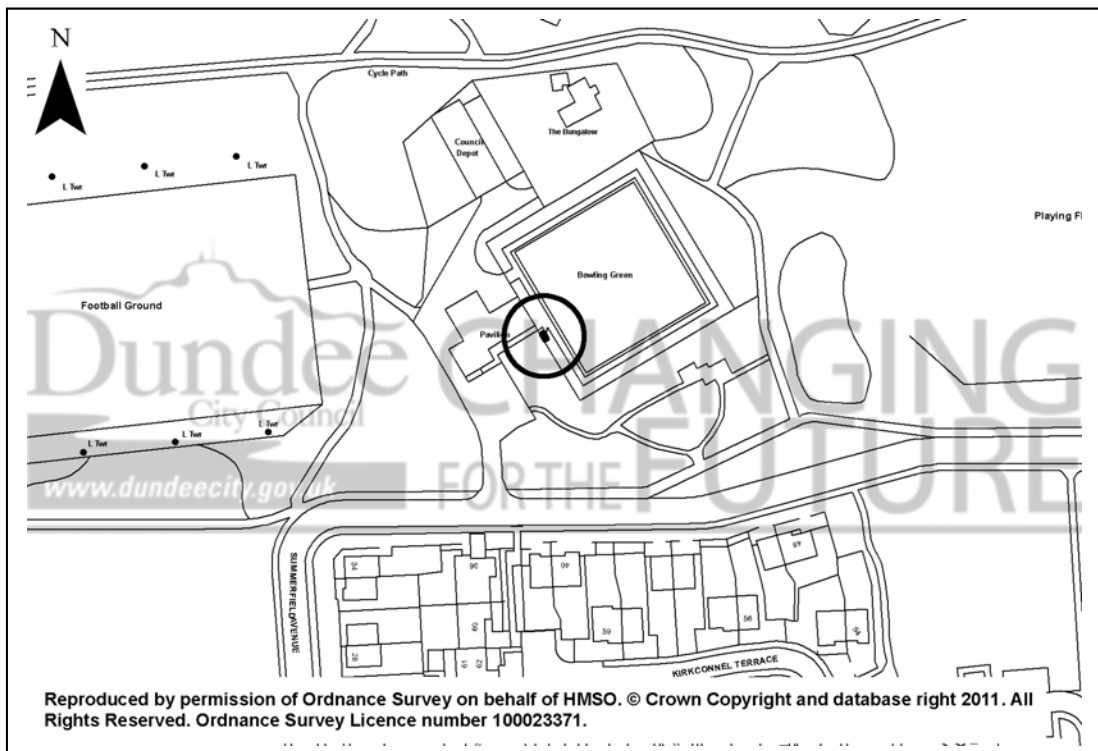
Vodafone/Telefonica
The Connection
Newbury
Berkshire RG14 2FN

Agent

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31 Churchill Drive
Bishopton PA7 5HF

Registered 15 Aug 2011

Case Officer P Macari



Proposed Telecommunications Mast at Whitfield Bowling Club

The erection of single 15m tall replica flagpole to support three Vodafone and 3 Telefonica 3G antenna within GRP shroud and one outdoor cabinet is **RECOMMENDED FOR REFUSAL**. Report by Director of City Development.

RECOMMENDATION

The proposals fail to satisfy the requirements of the Development Plan. The material considerations support refusal of planning permission. The application is therefore recommended for **REFUSAL**.

SUMMARY OF REPORT

- This application seeks planning permission for the installation of a 15m high dual user replica flag pole telecommunications mast supporting Vodafone and Telefonica 3G antenna within a GRP shroud and the installation of one equipment cabinet at Whitfield Bowling and Sports Club, Summerfield Avenue Dundee.
- Policy 1 (Vibrant and Sustainable Communities), Policy 66A (Protection of Playing Fields and Sports pitches)) 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 Nov 2007, are relevant to the outcome of this planning application.
- No letters of objection have been received.
- 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 2007.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the installation of a 15m tall replica flagpole telecoms mast supporting three Vodafone and three Telefonica 3G antenna within a GRP shroud and 1 ground based equipment cabinet at Whitefield Bowling and Sports Club, Summerfield Avenue Dundee.

The proposals involve a dual operator telecommunications installation whereby Vodafone is 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, coverage plots 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 application site is situated within Whitfield Bowling and Sports Club on the northern side of Summerfield Avenue. The site is positioned midway along the western boundary of the Bowling Green to the south east of the clubhouse building.

The site will be accessed from the vehicle access from Summerfield Avenue to the bowling green and Council recycling facility to the north west of the application site.

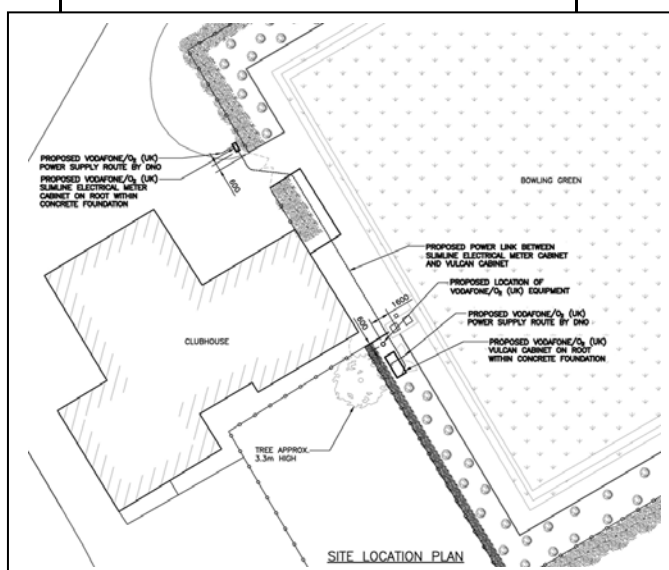
The existing lamp posts on Summerfield Avenue are approximately 5m in height and have concrete columns. The application site is located approximately 35m from Summerfield Avenue.

On the southern side of Summerfield Avenue adjacent to the Bowling Green a new housing development has been built. To the west of the application site a new three stream primary school is under construction. To the north west of the application site planning permission has been granted for the erection of a new life services and retail facility to serve Whitfield. In addition work on a new spine road linking Summerfield Avenue and

Lothian Crescent has recently been completed. There is a two storey dwelling bounding the bowling and sports club immediately to the north.

The boundaries of the bowling and sports club are formed by 2-3m high coniferous hedging reinforced by 2-3m high shrubs. There is a dense wooded landscape buffer between the bowling green and sports pitches to the west and between the Bowling Green and Summerfield Avenue to the south.

To the north of the application site the ground level increases and to the south the ground level decreases. There is a 2m difference in height between the application site and Summerfield Avenue.



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 66A: Protection of Playing Fields and Sports Pitches - there is a presumption in favour of retaining playing fields and sports pitches in Dundee. They should not be redeveloped unless the Council is satisfied that they are no longer required for their original purpose and there is a clear long term excess of pitches, playing fields and public open space in the wider area, having regard to the site's recreational and amenity value plus the needs of future generations. In addition the following criteria must also be satisfied:

- the proposals affect part of the site that has lesser sports and amenity value and will improve the sports, recreational and amenity value across the remainder of the site (eg grass pitches will be replaced on-site with an all weather surface); or
- compensatory open space of at least equal benefit and accessibility will be provided in or adjacent to the community most directly affected, resulting in an overall improvement to existing facilities and the amenity of the area (eg relocating existing pitches to a more central location within the community most directly affected; or
- development plans require the site for an important, strategic development, following examination of all possible alternative sites, and replacement provision of equal community benefit will be created in or adjacent to the community most directly affected.

Proposals must be consistent with policies elsewhere in the Plan and must not adversely affect the character or setting of a Historic Garden or Designed Landscape. Replacement provision must be made available in a playable condition before the existing facilities become unavailable. Where this is impractical, developers must provide sufficient justification and the Council will require replacement in the short term to an alternative agreed timetable. Compensatory arrangements must be secured by applicants to ensure that the sporting needs of

displaced users are suitably catered for, to the satisfaction of the Council.

Policy 78: (Location of Telecommunications Equipment) - this policy 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 2010 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 2007.

SUSTAINABILITY ISSUES

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

SITE HISTORY

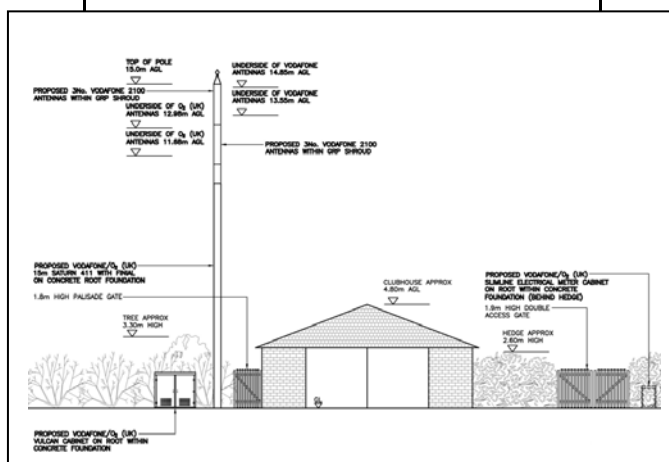
Planning application 11/00131/FULL was withdrawn by the applicant prior to the May 2011 meeting of the Development Management Committee. This application had sought planning permission for the installation of a 14.8m high dual user monopole supporting Vodafone and O2 3G antenna within a GRP shroud and the installation of one equipment cabinet on land to the south of Bowling Green, Summerfield Avenue Dundee. The Director of City Development was minded to recommend refusal of planning permission as the location and design of the proposed mast would adversely affect the level of environmental quality afforded to neighbouring

residential properties as well as the area of open space on which the telecoms installation was to be located. The Director of City Development was also concerned that the applicant had not carried out a comprehensive site selection process or demonstrated that the design of the proposed mast was appropriate for the application site.

PUBLIC PARTICIPATION

The Council has followed the statutory neighbour notification procedures stipulated by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. No neighbouring residential properties were notified of the proposed development.

No letters of objection have been received.



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

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) 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 traffic movement and parking issues, noise or smell the proposed telecommunications installation will not impact upon the level of environmental quality afforded to the area surrounding the application site.

In terms of layout and design, the proposed telecommunications mast shall be located within Whitfield Bowling and Sports Club which is elevated above Summerfield Avenue. As the mast will be 15m in height it will tower above the existing lampposts on Summerfield Avenue (some 35m away) that at their highest point are 5m above ground level. Due to the scale and massing of the new Whitfield Primary School and the maturity of the dense wooded belt to

the north and east of the application site, the proposed mast will not be visible from the spine road linking Summerfield Avenue and Lothian Crescent. However, given the level difference between the application site and Summerfield Avenue the proposed mast shall be clearly visible from houses on Summerfield Avenue.

Although the proposed mast will be designed to have a slim line design similar to the appearance of a flagpole, the diameter of the mast (0.34m) is significantly

larger than the diameter of other replica flagpole masts installed at bowling clubs throughout the City (Broughty Ferry Bowling Club 0.2m). Therefore, the proposed telecommunications mast although slim line in design will not appear as a traditional flag pole and by virtue of its unorthodox massing will appear as an obvious addition/ intrusion to the landscaped buffer between Summerfield Avenue and the recently completed spine road to the north. The windows serving principal rooms of a large number of the residential properties on Summerfield Avenue as well as the dwelling immediately to the north of the Bowling Green would be exposed to and dominated by views of the mast. The trees, hedging and shrubbery surrounding the application site are not within the control of the applicant. Therefore the softening benefit of the existing trees and shrubbery surrounding the application site on the harmful and intrusive visual

impact of the mast could easily be prejudiced by tree removal in the life of the telecommunications installation.

Taking the above factors into account it is concluded that despite the best efforts at disguise, the mast would become an obtrusive landmark that would look out of place in this otherwise attractive and low-key residential setting. Therefore by virtue of scale, design, massing and location the proposed telecommunications mast will have an incongruous appearance that will adversely affect the level of environmental quality afforded to neighbouring residential properties.

The proposed telecommunications development is therefore contrary to the requirements of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005.

Policy 66A is not supportive of proposals that would effectively remove designated sports pitches and playing fields. The application site is very small and the proposal would not impinge upon the sports function of the ground. Therefore, the proposal is not in breach of policy 66A.

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 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

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

a Supplementary Planning Guidance

Non-statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2007.

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.

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 by the applicant for the reasons described by them were:

Kellyfield Post Office, 181 Aberlady Crescent. Due to recent land sales by Dundee City Council, this area does not form part of the adopted highway therefore the operator has no rights to install a telecoms installation in this area.

Aberlady Crescent. Due to recent land sales by Dundee City Council, this area does not form part of the adopted highway therefore the operator has no rights to install a telecoms installation in this area.

Summerfield Footpath of Summerfield Avenue. Due to recent land sales by Dundee City Council, this area does not form part of the adopted highway therefore the operator has no rights to install a telecoms installation in this area.

Berwick Drive. Land in this area is lower lying than the preferred option and would fail to provide coverage to the target area.

Drumgeith Road. Land in this area is lower lying than the preferred option and would fail to provide coverage to the target area.

Land to the north of Summerfield Avenue. This site is being redeveloped to accommodate a new primary school.

Land to the south of Summerfield Avenue. This site has recently been redeveloped for housing.

Land to the south of Summerfield Avenue Bowling Club. This site was the subject of planning application 11/00131/FULL. This application was withdrawn as the Council was not supportive of this proposal.

Life Services Facility Haddington Avenue. This site has been identified as a possible location. However, the building has yet to be built and the timescale for completion does not accord with the applicant's identified need.

The Supporting Statement and coverage plots submitted as part of this planning application demonstrate that within the vicinity of the application site there is an operational requirement for a telecommunications installation involving the erection of 3G antennas to provide effective network coverage for Telefonica 3G and Vodafone.

While the applicant has submitted reasoning why alternative sites are not suitable for the proposed development it is clear from the assessment of the proposals against the requirements of Policy 1 of the adopted Local Plan above that the applicant has failed to justify the location or design of the proposed 15m high telecommunications mast on the application site.

The reasoning why three of the alternative sites are not suitable resonates around them not being adopted highways. However, it should be noted that the application site is not situated on an area of adopted highway. Therefore the reasoning why sites at Kellyfield Post Office, Aberlady Crescent and Summerfield Footpath of Summerfield Avenue are not suitable locations for the proposed telecommunications development are at odds with the applicant's decision to locate the proposed telecommunications development on the application site.

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 2007.

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 surrounding area. Consequently the proposed telecommunications installation would adversely impact the level of environmental quality afforded to neighbouring residential properties. 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 Nov 2007.

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 application site is located within a prominent area of public open space adjacent to a public seating area that is to be retained and protected by the policy framework of the adopted Local Plan and Whitefield Planning Framework. The telecommunications installation by virtue of design, scale and massing will impact upon the appearance of the Bowling and Sports Club and the landscaped surroundings to the detriment of visual amenity. The proposals therefore fail to satisfy the requirements of Policy 7.

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 mast share on the application site. However, given the Council's concerns relating to the scale, massing and design of the proposed mast in relation to the surrounding residential properties on Summerfield Avenue and the surrounding area of open space the form of the proposed telecommunications mast is not

considered appropriate for the application site.

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 2007.

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 Nov 2007.

b National Policy and Guidance

SPP 2010 and PAN 62 require telecommunications equipment to be designed and positioned as sensitively as possible.

The supporting information accompanying planning application 11/00424/FULL 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 location of the site within a designated area of public open space. The applicant has carried out a site selection process but has failed to justify the location of the application site in favour of sites at Kellyfield Post Office, Aberlady Crescent and Summerfield Footpath of Summerfield Avenue. The design of the proposed mast does not take on the form of a replica flag pole and would appear as an obtrusive landmark that would look out of place in this otherwise attractive and low-key residential setting.

The proposals therefore fail to adhere to the guidance contained within the Scottish Planning Policy 2010 and PAN 62.

c Supporting Information

The applicant submitted site specific supplementary information as well as a supporting statement.

The supporting statement provides a general background to the 2G and 3G operational context between Telefonica 3G and Vodafone and how this relates to the proposed telecommunications development and the site selection process. However, as

demonstrated by the assessment of the proposals against the relevant provisions of the Development Plan, National Policy and Guidance and the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2007, the supporting statements do not demonstrate that the design of the proposed telecommunications development or the location of the application site are the most suitable options given the surrounding suburban environment.

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 telecommunications mast in combination with the location of the application site will adversely affect the visual amenity of the landscaped buffer and designated area of open space surrounding the application site as well as the level of environmental quality afforded to neighbouring residential properties.

CONCLUSION

The proposals fail to satisfy the requirements of the Development Plan. The material considerations support refusal of planning permission. It is therefore recommended that planning permission is refused.

RECOMMENDATION

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

- 1 By virtue of scale, massing and design the proposed 15m high telecommunications mast shall have an adverse impact on the visual amenity of the area of public open space surrounding the application site and the outlook of residential properties on Summerfield Avenue and the immediate north of the Bowling Green. The proposals 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 in terms of location and design. There are no material considerations that would justify approval of planning permission.
 - 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 proposals do not demonstrate that the proposed mast has been sensitively designed or located to minimise the impact on the surrounding residential environment.
 - 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 as the scale and design of the shared mast is considered to be out of character with the surrounding area and would adversely impact on the level of environmental quality afforded to neighbouring residential properties.
 - 5 The proposed development is contrary to Policy 7 "Public Parks and Public Open Spaces " of the Council's adopted Non statutory Planning Policies in relation to Telecommunications Masts and Other Apparatus as the design, scale and massing of the proposed telecommunications mast will adversely impact upon the appearance of the Bowling and Sports Club and the landscaped surroundings to the detriment of visual amenity.