

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 20 JANUARY 2006

**05/1088/FL: PROPOSED REPLACEMENT OF 20 METRE
TELECOMMUNICATIONS MAST WITH A 25 METRE MAST WITH AN
ADDITIONAL 3 NO. ANTENNAE, 1 NO. TRANSMISSION DISH, 2 NO.
EQUIPMENT CABINS AND ASSOCIATED ANCILLARY DEVELOPMENT,
INCLUDING RE-POSITIONING OF EXISTING ANTENNAE AND DISHES
AT LAND ADJACENT TO CARRICK WORKS, STANDALANE, STEWARTON
BY ORANGE PCS LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The applicant proposes to replace the existing 20 metre telecommunications mast with a 25 metre mast, and to install 3 no. antennae, 1 no. 600 mm transmission dish at 20.5 metres above ground level, and 2 no. equipment cabins at ground level (1200 mm x 790 mm x 1300 mm high, and 770 mm x 790 mm x 1300 mm high). Associated ancillary development includes a meter cabinet and electric duct; and the existing antennae and 4 No. transmission dishes are proposed to be re-located to 24 metres above ground level.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in the report the application is considered to be consistent with the Development Plan. There are no material considerations that would indicate that the proposal should be considered other than in terms of the Local Plan, therefore the application should be approved.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards the application will not require to be referred to the Development Services Committee as this would not be a significant breach of Council Policy.

Alan Neish
Head of Planning, Development and Building Standards

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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NORTHERN AREA LOCAL PLANNING COMMITTEE: 20 JANUARY 2006

05/1088/FL: PROPOSED REPLACEMENT OF 20 METRE TELECOMMUNICATIONS MAST WITH A 25 METRE MAST WITH AN ADDITIONAL 3 NO. ANTENNAE, 1 NO. TRANSMISSION DISH, 2 NO. EQUIPMENT CABINS AND ASSOCIATED ANCILLARY DEVELOPMENT, INCLUDING RE-POSITIONING OF EXISTING ANTENNAE AND DISHES AT LAND ADJACENT TO CARRICK WORKS, STANDALANE, STEWARTON BY ORANGE PCS LTD

Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation, since it is the subject of an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located adjacent to Carrick Works, and is accessed through Standalane. The surrounding land use is mixed, there are small industrial units along Standalane, and the site backs onto Somerfield Supermarket on Rigg Street. The proposed replacement mast would be located within an existing telecommunications compound, in the northern corner of the Carrick Works site.

2.2 **Proposed Development:** The applicant proposes to replace the existing 20 metre telecommunications mast with a 25 metre mast, and to install 3 no. antennae, 1 no. 600 mm transmission dish at 20.5 metres above ground level, and 2 no. equipment cabins at ground level (1200 mm x 790 mm x 1300 mm high, and 770 mm x 790 mm x 1300 mm high). Associated ancillary development includes a meter cabinet and electric duct; and the existing antennae and 4 No. transmission dishes are proposed to be re-located to 24 metres above ground level.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division does not object to this proposal.

Noted.

3.2 East Ayrshire Council's Environmental Health Division does not object to this proposal.

Noted.

3.3 Transco does not object to this proposal.

Noted.

3.4 Railtrack has not responded in relation to the proposal.

Noted.

3.5 Stewarton Community Council objects to this proposal, on the basis of public fears about any increase in output from the existing base station, and the extended height of the mast.

Any increased output from base stations and considerations of actual impact on public health are not material planning considerations, and therefore this issue must not affect the determination of any planning application. With regard to the increase in height; this proposal is not considered to be in an overly prominent location. Furthermore, it utilises an existing telecommunications site, as per Government guidance, and it is considered that the increase in height of this existing mast would be preferable to an additional mast at this location. There are other telecommunications apparatus in close proximity, and it is considered that an increase in height would be preferable to a further mast, which would represent visual clutter.

4. REPRESENTATIONS

4.1 As noted in Section 3.4 above, Stewarton Community Council has objected, the points of concern are noted below:

4.2 We object to the increase in height and extended equipment.

In terms of potential visual impact, this proposal is not considered to be in an overly prominent location; it is situated to the rear of an industrial unit, and is shielded to a degree from the west by a railway embankment and trees. It is visible in passing from the roundabout at Lainshaw Street/Standalane, and when passing along Standalane, however in both these instances the impact is lessened by the

surrounding buildings. It is considered that the installation is most prominent from the east, on Rigg Street and Somerfield car park. However, it is viewed in the context of existing telecommunications apparatus, and it is considered that an increase in height would be a more acceptable solution than, for example, a new mast.

4.3 The location of the mast so close to the town's shopping centre has already raised fears among some of the public who view these masts as a source of serious health concerns.

Health issues are not a material planning consideration. Given the submission of an ICNIRP design declaration and its confirmation of compliance with international radio frequency exposure levels; there is no basis for any concern regarding public health impacts.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (EALP).

Approved Ayrshire Joint Structure Plan

5.2 There are no relevant policies in the Ayrshire Joint Structure Plan.

East Ayrshire Local Plan

5.3 Policy CS 2 sets out criteria against which applications for telecoms developments should be assessed, these including their visual impact, possibility of shared operational facilities and available alternative sites.

The existing mast, which is proposed to be replaced, and with additional equipment added, is within a backland area which, and while not far from Stewarton town centre, is relatively unobtrusive. The proposed increase in height together with the additional equipment will certainly make the mast more prominent but not unduly. Given the need to maintain local telecoms coverage it seems unlikely that a suitable alternative site for such a facility could be found near the centre of the town and particularly one that would not be perceived to compromise residential amenity. In view of this, the proposal is considered to be consistent with the criteria of Policy CS 2.

5.4 Policy CS 3 sets out specific distances that telecom masts should be located from certain developments and requests developers to indicate areas of greatest intensity of emissions.

It should be noted that the content of Policy CS 3 has been superseded by the provisions of NPPG 19: Radio Telecommunications and more importance should be attached to the provisions of the NPPG than to the above approved policy. Under paragraph 53 of NPPG 19, which took effect after Policy CS 3 had been agreed by the Council, the planning system should not be used to secure objectives that are more properly achieved under other legislation, including those referring specifically to the potential effects of radiation emissions on public health. Therefore those matters referred to in Policy CS 3, while still material considerations in assessing planning applications for this type of development in the context of the Local Plan, now carry much less weight in policy terms than NPPG 19.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, the planning history, impact on the amenity of the area, and Scottish Executive Planning Guidance in the form of NPPG 19: Radio Telecommunications, and PAN 62: Radio Telecommunications.

Consultation Responses

6.2 The consultation responses are detailed in section 3 of the report. They raise no issues which are of sufficient weight to override the Development Plan.

Planning History

6.3 Planning application reference: KL/W/FL/95/175A: Proposed erection of telecommunications mast together with 6PCN antennas and 2 microwave dishes, including related cabinets, compound and perimeter fence, was approved on 21 September 1995.

The above noted application relates to the existing mast on site.

Impact on Amenity

6.4 It is considered that the impact upon the amenity of the surrounding area is limited. Surrounding uses are mixed, and the principle of telecommunications at this location is clearly established. Views of the mast are obscured to a degree from the north, south and west. From the east, the mast is more

prominent, but is viewed in the context of a range of uses, and further existing telecommunications apparatus.

Scottish Executive Planning Guidance

6.5 NPPG 19 outlines Scottish Executive Policy on telecommunications development. The guideline advises that all the components of the proposed development should be considered together, and sited and designed to minimise visual impact. It lists a series of options to be considered in the design of equipment, with site and mast shares being encouraged where they represent the best environmental solution. Sensitive siting and design can play a part in allaying public concerns.

The proposed replacement mast and equipment are considered to comply with Scottish Executive Policy, since they minimise visual clutter by utilising an existing site, and the colour of the mast and equipment may be addressed by way of condition, should consent be granted, to minimise contrast with the sky. It is thus considered that reasonable measures have been taken to address public concerns.

6.6 Paragraph 53 of the NPPG 19 states that the planning system should not be used to secure objectives that are more properly achieved under other legislation. Emissions of radio frequency (RF) radiation are controlled and regulated under the appropriate legislation by the DTI and the Radiocommunications Agency. The Health and Safety Executive also have responsibilities. With these mechanisms in place, the Scottish Executive concludes that it is not necessary for Planning Authorities to treat RF emissions as a material consideration.

The NPPG confirms that this approach and policy will be applied in the determination of any appeals arising from the refusal of telecommunications apparatus on the basis of RF emissions.

6.7 NPPG 19 required that all applications for planning permission involving antennas must be accompanied by a declaration that the equipment is designed in compliance with the appropriate ICNIRP guidelines. The NPPG further states that reassurance should be drawn from the fact that the RF outputs from mobile phone base stations are set at the minimum levels commensurate with effective service provision. The technical conditions under which base stations operate are also specified in the operator's Wireless Technology licence.

Health concerns are thus safeguarded by means other than through the planning process, and an ICNIRP certificate has been submitted with this application, as per guidance.

6.8 PAN 62 offers advice on good practice when dealing with Radio Telecommunications development. It emphasises that development must be undertaken in a manner that keeps environmental impact to a minimum. It states that siting and design can reduce visual intrusion and help allay public concerns. Equipment housing can be painted to blend in with its background, disguised as street furniture and compliments the urban landscape. The Planning Advice Note whilst encouraging the installation of equipment on existing buildings and structures advises that it should have minimal impact on the roof line, respect important views or skylines to be coloured to match the background, and be in proportion to the size of the structure.

The proposed siting and design of the dishes accords with the advice advocated in PAN 62 as they create minimal visual impact, are proposed at the location in replacement of an existing structure, and are considered to be of appropriate size.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in the report the application is considered to be consistent with the Development Plan. There are no material considerations that would indicate that the proposal should be considered other than in terms of the Local Plan, therefore the application should be approved.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards the application will not require to be referred to the Development Services Committee as this would not be a significant breach of Council Policy.

Alan Neish
Head of Planning, Development and Building Standards

11 January 2006
(CP/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Approved Ayrshire Joint Structure Plan.
6. Planning Application No. KL/W/FL/95/175A.
7. NPPG 19 "Telecommunications Development and PAN 62 "Radio Telecommunications".

Anyone wishing to inspect the above papers please contact William Stewart, Principal Planning Officer, on 01563 578165.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/1088/FL

Site of Proposal: Land Adjacent to Carrick Works
Standalane
STEWARTON KA3 5BG

Nature of Proposal: Proposed Replacement of 20 Metre
Telecommunications Mast with a 25 Metre
Mast with an Additional 3 No. Antennae, 1 No.
Transmission Dish, 2 No. Equipment Cabins
and Associated Ancillary Development

Name & Address of Applicant: Orange PCS Ltd
St James Court
Great Park Road
Almondsbury Park
BRISTOL BS12 4QJ

Name & Address of Agent: Harlequin Ltd
Woodside House
20-23 Woodside Place
GLASGOW G3 7QF

DPOs Reference: (CP/MMM)

The above FULL planning application should be approved subject to the following conditions:-

1. Notwithstanding the plans hereby approved, the proposed replacement mast, and new equipment, shall be coloured grey, to match the apparatus existing on site.

REASON In the interests of visual amenity.

2. In the event that equipment becomes obsolete or redundant it must be removed and the site reinstated to the satisfaction of the Planning Authority within 6 months.

REASON To minimise the level of visual intrusion, and ensure the reinstatement of the site to a satisfactory standard.

3. No symbols, signs, logos or other lettering shall be displayed on any part of the structure, antennae or equipment housing without the prior written approval of the Planning Authority, except small signage necessary for operational reasons.

REASON To minimise the level of visual intrusion as far as practicable.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**