

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 07 DECEMBER 2001

**01/0678/FL: PROPOSED ERECTION OF 25 METRE TELECOM TOWER WITH
TRANSMISSION EQUIPMENT AND CABLING ALL ENCLOSED IN 1.8 METRE
PALISADE FENCE
AT LAND ADJACENT TO 1 & 2 CRATHIE ROAD, KILMARNOCK
FOR ORANGE PCS LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for the erection of a 25 metre high telecom tower of lattice design with six dual band dual polar antennae and four 600 mm microwave dishes. An associated equipment cabin on a concrete base, some 3.8 metres by 6.1 metres, is to be sited immediately to the north east of the tower. The compound is to be enclosed with a 1.8 metre galvanised fence which will be consistent with the existing fence within the vicinity. No new access will be formed and the site will be accessed through existing routes within CML grounds. The 25 metre high mast allows the signal to reach its coverage target areas of Knockinlaw and Bonnyton. The proposal will also enable and promote the use of shared facilities to other operators as two areas have been left for future expansion. If other operators want to use the proposed mast they can site their equipment cabins in these areas.

2. RECOMMENDATION

2.1 The application should be approved subject to the condition indicated on the attached sheet.

3. CONTRARY DECISION

3.1 Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, on the basis of the principle of such development, then the application would require to be referred to the Development Services Committee.

4. SUMMARY OF ANALYSIS

4.1 As indicated in Section 5 of the report, there are no relevant policies in the Adopted Local Plan and given the terms of Sections 25 and 37 (2) of the Town

and Country Planning (Scotland) Act 1997, greater weight should be attached to the material considerations.

4.2 There are material considerations, relevant to this application as indicated in Section 6 of the report and they are supportive of the proposal. The proposed development is consistent with the policies of the EALP and the Council's Interim policies on telecommunications.. However greater weight should be attached to recent Government guidance and advice in NPPG 17 and PAN 62 in relation to telecommunications. The proposed development will conform to ICNIRP guidance. Although the proposed tower will be visible in the townscape, it is considered that its siting in an established industrial area will not have an adverse effect on the visual quality of the immediate area. The applicant has indicated that the proposed development will enable improved telecommunication network coverage, quality and capacity in this locality. The proposal will also enable and promote the use of shared facilities to other operators.

Alan Neish
Head of Planning and Building Control

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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Report by Head of Planning and Building Control

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 as it is telecommunications development.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises a triangular area of overgrown landscaping within the grounds of CML Ltd. The site is located within an established industrial estate and is bound by industrial properties. A cycle track lies to the immediate south east of the site. Crathie Road is located off Western Road to the north-west of the town centre. The application site is bounded to south-east and south-west by existing metal fencing .

2.2 **Proposed Development:** Full planning consent is sought for the erection of a 25 metre high telecom tower of lattice design with six dual band dual polar antennae and four 600 mm microwave dishes. An associated equipment cabin on a concrete base, some 3.8 metres by 6.1 metres, is to be sited immediately to the north east of the tower. The compound is to be enclosed with a 1.8 metre galvanised fence which will be consistent with the existing fence within the vicinity. No new access will be formed and the site will be accessed through existing routes within CML grounds. The 25 metre high mast allows the signal to reach its coverage target areas of Knockinlaw and Bonnyton. The proposal will also enable and promote the use of shared facilities to other operators as two areas have been left for future expansion. If other operators want to use the proposed mast they can site their equipment cabins in these areas.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division have no objections to make regarding the proposed development.

Noted.

3.2 East Ayrshire Council Environmental Health and Waste Management have no objection in principle to the proposed work subject to confirmation that the total emissions from the installation will satisfy all current safety guidelines. They have further commented that the immediate environs of the proposed site are industrial and commercial; there are office premises within some 30 or 40 metres of the site, with the nearest residential properties 180 – 200 metres to the south west.

Recent Government guidance in NPPG 19 confirms that it is not necessary for Planning Authorities to treat Radio Frequency (RF) emissions as a material planning consideration. However it states that to demonstrate that known health effects have been properly addressed, certification must accompany applications for planning permission affirming compliance with ICNIRP guidelines. The applicant has submitted a signed Certificate of Conformity confirming that the proposed development will be within the established international guidelines.

3.3 Dean Community Council are not currently in existence.

Noted.

4. REPRESENTATIONS

4.1 No letters of representation have been received to the proposed development.

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 Structure Plan and Adopted Kilmarnock Local Plan. The Adopted Local

Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the proposal would fall to be considered against this Plan. The proposed telecommunication mast is located in an industrial area affected by Policy 4.2.5. In those areas identified on the proposals map as industrial areas, most types of industrial development shall be allowed.

The present proposal does not involve industrial development, however, the erection of a telecommunications mast in an industrial area is considered to be compatible with the area and would not conflict with the above policy. There are no specifically applicable policies within the above Plan regarding telecommunications apparatus.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan Finalised Version with Modifications (EALP), NPPG 19: Radio Telecommunications and PAN 62: Radio Telecommunications, and the statutory consultations and the Council's Interim Policies on Telecommunications Development.

6.2 The Adopted Local Plan is considerably out of date and contains no applicable policies. It is therefore considered that greater weight should be attached to more recent expressions of policy. The Council has agreed that the EALP should be considered a prime material consideration.

6.3 Policies CS2 and CS3 are relevant and seek to ensure that telecommunication developments have minimal environmental impact. Policy CS2 states that the Council will consider all telecommunication proposals in the light of their particular operational requirements within the framework provided by Circular 25/1985. In all cases, care will be taken to ensure that all telecommunications developments are sensitively sited. The Council will require the immediate removal of all telecommunications installations which are operationally redundant and the restoration of sites to their original condition and will assess each application against the following criteria:

- (i) the visual impact of the proposal on townscape and environment;
- (ii) the possibility of shared operational facilities; and
- (iii) the availability of suitable alternative sites.

6.4 Policy CS3 states that operators will be encouraged to share masts and other operational facilities with other operators. The Policy further states that operators will be requested:-

(i) to locate installations, wherever possible, at least 100 metres from continuously occupied premises in educational, health service or residential use; and

(ii) to indicate on their submitted plans, areas where there would be the greatest intensity of emissions.

It is not considered that the tower whilst conspicuous will be detrimental to the surrounding area. The site will not be located within 100 metres of any continuously occupied properties. It is not considered necessary to seek an alternative site as the tower is to be sited in an industrial area. The proposal will allow future shared operational facilities. A condition could be attached to any grant of planning consent requiring the immediate removal of apparatus if the site becomes redundant. The applicant has also confirmed that the emission levels will conform with ICNIRP guidelines.

6.5 The EALP contains telecommunications policies which predate the recent Government guidance contained within NPPG 19 and Planning Advice Note 62 in regard to telecommunications apparatus. It will be necessary to review these policies following adoption of the local plan and therefore greater weight should be attached to the guidance/advice contained within NPPG 19 and PAN 62. Currently, the Development Services Committee on the 23rd October agreed to remove the interim policy and to give greater weight to the recent NPPG and PAN although this policy modification has still to be approved by the Full Council. In the meantime this proposal is in accordance with the interim policies.

6.6 NPPG 19 urges good communication between Planning Authorities and operators who should discuss network rollout plans with the Authorities. Through policies and discussion the design and siting of apparatus should have minimal environmental impact. It outlines the type of locations more suitable for larger ground based masts such as industrial and commercial areas. Sensitive siting and design of mobile phone base stations can play a part in allaying public concerns. Operators should provide with their applications evidence that consideration has been given to siting and design options and this may be a material consideration. It is expected that operators will make all reasonable efforts to select sites which minimise public concerns.

The supporting statement includes a signed Certificate of Conformity confirming that emissions from the proposed development are within the established international guidelines. Calculations undertaken by the operator indicate that emissions associated with the proposed development will be well below the level permitted by ICNIRP.

6.7 Emissions of radio frequency (RF) radiation are controlled by the Department of Trade and Industry, the Radiocommunications Agency and the Health and Safety Executive. The IEGMP recommended a precautionary approach to the development of mobile phone technologies concluding that although there was no general risk to the health of people living near to base stations there could be “indirect adverse effects on their well being in some cases”. The NPPG confirms that “it is not necessary for Planning Authorities to treat RF emissions as a material consideration”. However to demonstrate that known health effects have been properly addressed, certification must accompany applications for planning permission confirming compliance with ICNIRP guidelines.

The proposed development is consistent with the guidance contained in NPPG 19 as it is located within an industrial area. The proposed site will allow for the mast sharing by other operators and two areas have been left within the application site for the siting of equipment cabins of other operators. The location of the 25 metre high telecommunications mast within an industrial setting is considered to have limited visual impact on the townscape. The applicant has indicated in their supporting statement that the surrounding area is deficient in radio coverage and therefore unsatisfactory for customers. They have undertaken an assessment of potential sites within the search area and concluded that the application site was preferable.

6.8 Planning Advice Note 62 offers advice on good practice when dealing with Radio Telecommunications development. It emphasises that development must be undertaken in a manner that keeps the environmental impact to a minimum. Equipment should become an accepted and unobtrusive feature of urban and rural areas. Sensitive siting and design can reduce visual intrusion and play a part in allaying public concerns. The PAN 62 encourages a series of options to lessen their impact:-

- Installing small scale equipment;
- Concealing or disguising equipment;
- Mast sharing;
- Site sharing;
- Installing on existing buildings or other structure; and
- Erecting a new ground based mast.

The proposed development is consistent with the advice contained in PAN 62. The applicant has indicated that the proposal will enable and promote the use of shared facilities to other operators. The proposal is located within an industrial estate and therefore its impact on the surrounding area is not considered to be detrimental to visual amenity.

6.9 Planning History – 01/0678/FL: Planning consent was refused on 01 June 2001 for the erection of 25 metre telecommunications tower with accompanying electrical equipment, cabin and compound on a site to the north of the application site adjacent to Holland Electrical. It was considered that the proposed development in that location would be detrimental to the visual amenity and industrial character of the area.

6.10 The statutory consultations have been considered in Section 3 of this report and they have not raised any adverse comments regarding the proposed development.

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 Section 5 of this report, there are no relevant policies in the Adopted Local Plan and given the terms of Section 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997, greater weight should be attached to the material considerations.

8.2 There are material considerations, relevant to this application as indicated in Section 6 of the report and they are supportive of the proposal. The proposed development is consistent with the policies of the EALP and the Council's Interim policies on telecommunications.. However greater weight should be attached to recent Government guidance and advice in NPPG 17 and PAN 62 in relation to telecommunications. The proposed development will conform to ICNIRP guidance. Although the proposed tower will be visible in the townscape, it is considered that its siting in an established industrial area will not have an adverse effect on the visual quality of the immediate area. The applicant has indicated that the proposed development will enable improved telecommunication network coverage, quality and capacity in this locality. The proposal will also enable and promote the use of shared facilities to other operators.

9. RECOMMENDATION

9.1 The application should be approved subject to the conditions indicated on the attached sheet.

**Alan Neish
Head of Planning and Building Control**

27 November 2001
(PC/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Kilmarnock Adopted Local Plan.
5. Correspondence from applicant.
6. East Ayrshire Local Plan Finalised Version with Modifications.
7. Planning Application No: 00/0801/FL.
8. NPPG 19 Radio Telecommunications.
9. East Ayrshire Council Interim Policy on Telecommunications Development.

Anyone wishing to inspect the above papers please contact Pamela Clifford on 01563 576772.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0678/FL

Site of Proposal:	Land Adjacent to 1 & 2 Crathie Road KILMARNOCK
Nature of Proposal:	Proposed Erection of 25m Telecommunications Tower with Transmission Equipment & Cabling all Enclosed in 1.8m Palisade Fence
Name & Address of Applicant:	Orange PCS Ltd Masterton Way Tannochside Park UDDINGSTON G71 5PT
Name & Address of Agent:	Tony Burns APT Marconi 1 Houston Street GLASGOW G5 8RS

DPOs Reference: PC/MMM

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

1. Within one month of the telecommunications apparatus becoming operationally redundant in terms of the applicant's commercial requirements all the apparatus shall be removed and the site restored to a scheme approved by the Planning Authority.

REASON In the interests of environmental quality of the surrounding are

AGENDA

**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.**