

**EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE – 1 JUNE 2001**

**00/0801/FL: PROPOSED 25M HIGH TOWER WITH ACCOMPANYING ELECTRICAL  
EQUIPMENT, CABIN AND COMPOUND  
AT HOLLAND HOUSE ELECTRICAL, CRATHIE ROAD, KILMARNOCK  
FOR ORANGE PCS LTD**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 The applicants propose to erect a 25 metre high telecom tower of lattice design set on a reinforced concrete base. An equipment cabin, 15.75 m<sup>2</sup> in area, will be situated within the compound cubicle which will be 2.5 metres in height. Also proposed is a fence to enclose the compound of 2 metres in height which will be topped with 3 strands of barbed wire. The equipment is to be located to the south-eastern site corner. The overgrown area will be cleared and the space not utilised for the mast will be gravelled to improve the appearance.

**2. RECOMMENDATION**

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

**3. SUMMARY OF ANALYSIS**

3.1 As indicated in Section 5 of this report, the proposal is located within an industrial area in terms of the Kilmarnock Adopted Local Plan, however there are no applicable policies in relation to telecommunication equipment. Therefore greater weight should be attached to other material considerations. The EALP is supportive of this proposal.

3.2 The site is located within an existing industrial area of general low visual quality. It is not located within 100 metres of any continuously occupied properties as defined in Policy CS 3 of the EALP and is considered to be an acceptable site for this type of development. It is not considered that the telecommunications installation will adversely affect surrounding businesses either in terms of visual amenity or their operational requirements. Whilst the tower will be a prominent feature it is set within an already industrialised landscape. None of the statutory consultees have raised any negative issues and the representations submitted have been addressed.

**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, an application for consent which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises a triangular area of overgrown landscaping. The site is located within an established industrial estate and is bound entirely by industrial properties. Crathie Road is located off Western Road within the settlement boundary of Kilmarnock, to the north-west of the town centre.

2.2 **Proposed Development:** The applicants propose to erect a 25 metre high telecom tower of lattice design set on a reinforced concrete base. An equipment cabin, 15.75 m<sup>2</sup> in area, will be situated within the compound cubicle which will be 2.5 metres in height. Also proposed is a fence to enclose the compound of 2 metres in height which will be topped with 3 strands of barbed wire. The equipment is to be located to the south-eastern site corner. The overgrown area will be cleared and the space not utilised for the mast will be gravelled to improve the appearance.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Roads Division have no objections to make regarding the proposed development.

*Noted.*

3.2 Environmental Health and Waste Management have not replied to their consultation at the time of writing this report.

***Noted.***

3.3 Dean Community Council are not currently in existence.

***Noted.***

#### **4. REPRESENTATIONS RECEIVED**

One letter of objection was received. The points raised are as follows:-

4.1 CML is a high frequency welding company who have been manufacturing at their present location (opposite the site) for 20 years. The machines operate at 27 megahertz and can often produce airborne RF. CML advise they do not intend to be held responsible for any problems which arise due to RF interference.

***This matter was reported to the applicant's agent. The applicant's agent has advised that her client has now carried out field tests using an on-site mock installation. It is not believed that CML will cause interference to the proposed installation. This Division has also been advised that within all areas of the industrial estate (including CML) and indeed all areas in general, the RF emissions from the proposed installation will be many times less than the significant "ICNIRP" public exposure limits; (International Commission on Non-ionising Radiation Protection).***

4.2 In the past three years CML have spent large sums of money on their premises in order to improve the look of the building and enhance the company's image. These improvements were made to attract blue chip customers such as EMI, Compaq, Macmillan HELT, Dorling Kindersley, Linguaphone and Hewlett Packard. This Division is advised that many of these customers have visited the premises on several occasions and it is CML's intention to continue improving the overall image of their company in years to come. It is CML's opinion therefore, that the construction of the mast on Crathie Road will detract from the look of the premises and partly take away from the improvements that have been made.

***It is not considered that the telecommunications installation will be detrimental to CML or the surrounding area in terms of visual amenity. The surrounding area is generally of low environmental quality comprising an established industrial estate. The buildings are general industrial in design and, not of particularly high quality. Whilst the tower will be a prominent feature it will occupy an area of overgrown amenity land.***

4.3 CML advise they previously suggested that Orange relocate the compound to an area of land to the rear of the estate, under CML's control. It is contended that the mast would be much less visible and would be a more suitable alternative to CML.

***There are no objections to the location being proposed for the mast for the reasons stated in the response to paragraph 4.2 above.***

#### **5. DEVELOPMENT PLAN STATUS**

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 Adopted Ayrshire Joint Structure Plan and the Adopted Kilmarnock Local Plan (1985). 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 would not conflict with the above policy. There are no 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) the statutory consultations and representations received.

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 100m 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.

***As discussed in Section 4 of this report 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 as defined and it is not considered therefore necessary to seek an alternative site. Should Members be agreeable, a condition can be attached to any grant of planning consent requiring the immediate removal of apparatus should the site become redundant . The applicants agents have stated that the Radio Frequency field emissions from the proposed installation will be many times less than the significant ICNIRP exposure limits.***

#### 6.5 The Stewart Report

The Stewart Report investigated the relationship between Mobile Phones and Health. As well as making various recommendations concerning future planning controls it concluded that "the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of guidelines". It nevertheless recommended a precautionary approach to the assessment of health risk; one embraced by this Council's Interim Policy.

***Noted***

#### 6.6 Interim Council Policy

The Council Policy requests operators to locate installation wherever possible 100 metres from continuously occupied properties in educational, health service or residential use as a precautionary principle.

***There are no properties as defined within 100 metres of the site.***

6.7 The Statutory Consultations and representations received have been considered in Sections 3 and 4 of this report. The issues raised are not of such significance that would warrant a recommendation of refusal of the application.

## 7. **FINANCIAL OR LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in determining the application.

## 8. **CONCLUSIONS**

8.1 As indicated in Section 5 of this report, the proposal is located within an industrial area in terms of the Kilmarnock Adopted Local Plan, however there are no applicable policies in relation to telecommunication equipment. Therefore greater weight should be attached to other material considerations. The EALP is supportive of this proposal.

8.2 The site is located within an existing industrial area of general low visual quality. It is not located within 100 metres of any continuously occupied properties as defined in Policy CS 3 of the EALP and is considered to be an acceptable site for this type of development. It is not considered that the telecommunications installation will adversely affect surrounding businesses either in terms of visual amenity or their operational requirements. Whilst the tower will be a prominent feature it is set within an already industrialised landscape. None of the statutory consultees have raised any negative issues and the representations submitted have been addressed.

## 9. **RECOMMENDATION**

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

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

23 May 2001

(FMF/MS)  
(FV/DVM)

#### **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Circular 25/1985.
5. Letters of Representation.
6. The Stewart Report.
7. Council Interim Policy on Telecommunications Masts.

Anyone wishing to inspect the above papers please contact Fiona Finlay on 01563 576768.

***Implementation Officer: Dave Morris***

Location: Holland House Electrical  
Crathie Road  
KILMARNOCK

Nature of Proposal: Proposed 25m High Tower with Accompanying Electrical  
Equipment, Cabin and Compound

Name & Address of Applicant: Orange PCS Ltd  
Level 5  
Exchange Quay  
SALFORD  
Manchester M5 3EE

Name & Address of Agent: Julie Hamilton  
APT  
Unit 64 Sir James Clark Building  
Abbeymill Business Centre  
PAISLEY PA1 1TJ

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DPO's Ref: (Fiona Finlay)  
PPO's Ref: ( )

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

1. Within one month of the telecommunications apparatus becoming operationally redundant in terms of the applicants commercial requirements, all the apparatus shall be removed and the site surfaced to the satisfaction of the Head of Planning and Building Control.

REASON In the interests of the environmental quality of the surrounding area.

**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.**

**AGENDA**