

## **EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE: 6 DECEMBER 2002**

**02/0815/FL: PROPOSED 21 METRE HIGH TELECOMMUNICATIONS  
MONOPOLE TO ACCOMMODATE EQUIPMENT, 15 NO. PANEL  
ANTENNAS, 2 NO. 0.6M MICROWAVE DISHES AND 1 NO. 0.3M  
MICROWAVE DISH PLUS 4 EQUIPMENT CABINS, COMPOUND FENCE  
AND HEDGE AT CARMELBANK FARM, CROSSHOUSE, KILMARNOCK  
BY CROWN CASTLE INTERNATIONAL LTD**

### **EXECUTIVE SUMMARY SHEET**

#### **1. DEVELOPMENT DESCRIPTION**

1.1 Full planning consent is sought for the erection of a 21 metre high telecommunications monopole with 15 panel antennas, two 0.6 metre microwave dishes and one 0.3 metre microwave dish attached. The application also relates to the installation of 4 equipment cabins and ancillary development. The application comprises the following works in detail

- 21 metre high telecommunications monopole which is to be used by 3 operators
- 6 no. panel antennas on the monopole, an equipment cabin and metre cabinet in the compound, associated feeder cable and supports for Orange Personal Communication Services Ltd (Orange)
- 6 no. panel antennas on the monopole, an equipment cabin and metre cabinet in the compound, associated feeder cable and supports for O<sub>2</sub> Ltd (formerly BT Cellnet)
- 3 panel antennas, 3 no. dish antennas on the monopole, mini equipment cabinets and metre cabinet in the compound, associated feeder cable and supports for Hutchison 3G Ltd
- The compound would be enclosed with a 1.8 metre high palisade fence. Additional hedging is proposed to be planted along the north and east elevations of the compound in order to conceal the base of the installation
- The proposed site will be accessed by a 300 metre track and the existing access gate onto Gatehead Road would be relocated further north
- The existing 15 metre lattice telecommunications mast which is located adjacent to Gatehead Road is to be removed following the installation of the monopole proposed under the terms of this application. The existing 15 metre lattice communications mast was installed under previous permitted development rights for telecommunications operators.

#### **2. RECOMMENDATION**

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

### **3. CONCLUSIONS**

3.1 As indicated in Section 5 of the report, the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. There are no applicable policies contained within the Adopted Kilmarnock Local Plan or the Ayrshire Joint Structure Plan relevant to the determination of this application and as such, greater weight should be given to other material considerations. As is indicated at Section 6 of the report, there are material considerations relevant to this application.

3.2 Until such time as the EALP is adopted and in view of the more recent guidance issued by the Scottish Executive, the material considerations to which the greatest weight should currently be applied are NPPG 19 and PAN 62. It is considered that both NPPG 19 and PAN 62 are supportive of the application.

3.3 The proposed mast and associated compounds and equipment would be sited so as to minimise their impact on the visual amenity of the rural area and the wider skyline. The proposal makes use of site sharing, whilst facilitating the removal of the existing lattice mast following installation of the proposed monopole mast. Additional hedging is proposed which will help to screen the ground equipment.

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, the application would not require to be referred to the Development Services Committee as it would not be a significant breach of policy.

**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 the 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 a telecommunications development and is subject to an objection.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located to the south of Crosshouse, approximately 220 metres from the settlement boundary of the village at Parkhill Avenue. The application site comprises an agricultural field in grass with the existing 15 metre telecommunications mast sited adjacent to Gatehead Road included within the application site and an access track of approximately 300 metres in length adjacent to the existing hedgerow.

2.2 **Proposed Development:** Full planning consent is sought for the erection of a 21 metre high telecommunications monopole with 15 panel antennas, two 0.6 metre microwave dishes and one 0.3 metre microwave dish attached. The application also relates to the installation of 4 equipment cabins and ancillary development. The application comprises the following works in detail

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- The compound would be enclosed with a 1.8 metre high palisade fence. Additional hedging is proposed to be planted along the north and east elevations of the compound in order to conceal the base of the installation
- The proposed site will be accessed by a 300 metre track and the existing access gate onto Gatehead Road would be relocated further north
- The existing 15 metre lattice telecommunications mast which is located adjacent to Gatehead Road is to be removed following the installation of the monopole proposed under the terms of this application. The existing 15 metre lattice communications mast was installed under previous permitted development rights for telecommunications operators.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objection subject to the sightlines for the access being 2.5m by 90 metres. Initially the Roads Division said that hedging within the visibility envelope should be removed and replaced with fencing that does not obscure the sightlines. The access should be constructed to a minor commercial access standard in accordance with the Roads Development Guide and a road opening permit should be obtained prior to the commencement of the access construction. The access should be completed prior to the erection of the telecommunications mast facility. Following further discussion, the Roads Division have agreed that the hedging within the visibility envelope can remain provided it is maintained to less than 1 metre in height.

***The requirements of the Roads Division can be addressed by attaching conditions and a note to any grant of planning consent.***

3.2 East Ayrshire Council Environmental Health have no adverse comments to make regarding the proposed development.

***Noted.***

3.3 East Ayrshire Council Department of Homes and Technical Services have no objections as the existing mast is to be removed and the siting of the new mast would seem more appropriate.

***Noted.***

3.4 Crosshouse Community Council have not responded to their consultation letter at the time of writing this report.

***Noted.***

## 4. REPRESENTATIONS

4.1 There is one letter of objection and the grounds of objection are as follows:-

4.2 It is well known that the radiation emissions given off by mobile phones/antennas are hazardous to the general public. The government are now publicly stating the hazards involved, so why are they still being erected near residential areas. They are extremely concerned as to the dangers to the health of their family.

***Government guidance expressed through National Planning Policy Guideline 19: Radio Telecommunications states “that it is not necessary for planning authorities to treat radio frequency emissions as a material planning consideration.” The Government’s Independent Expert Group under the chairmanship of Sir William Stewart put forward a number of recommendations taken account of in the drafting of NPPG 19. Whilst health concerns are safeguarded by means other than through the planning process, applications as in this case must be accompanied by an ICNIRP declaration. The “ICNIRP Declaration” submitted by the applicant declares that the site is designed to be in full compliance with the requirements of the radio frequency (RF) guidances of the International Commission for Non-Ionising Radio Protection (ICNIRP) for public exposure.***

## 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 purpose of this application the development plan comprises the Adopted Kilmarnock Local Plan (1985) and the Approved Ayrshire Joint Structure Plan. The Adopted Local Plan was prepared with 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 document and its associated policies. There are however no relevant policies and therefore greater weight should be placed on the ‘other material considerations’ as identified in Section 6 of this report.

## 6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other material considerations relevant to the determination of this application are the East Ayrshire Local Plan Finalised Version with Modifications (EALP), National Planning Policy Guideline 19: Radio Telecommunications (NPPG 19), Planning Advice Note 62: Radio

Telecommunications (PAN 62), the consultation responses and the letter of objection; which are detailed in Sections 3 and 4 of the report.

### East Ayrshire Local Plan Finalised Version with Modifications

6.2 The Adopted Kilmarnock Local Plan is considerably out of date and it is therefore appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the EALP should be considered as a prime material consideration.

6.3 Policy CS2 is relevant and states that all telecommunications proposals will be considered in the light of their particular operational requirements within the framework provided by NPPG 19. In all cases, care will be taken to ensure that all telecommunications developments are sensitively sited and each application will be assessed against the following criteria:-

- i) the visual impact of the proposal on townscape and environment

***It is proposed to replace the existing 15 metre lattice telecommunications mast with a 21 metre high telecommunications monopole mast on a site to the west of the existing site. Although the new mast will be 6 metres higher than the existing mast it has been designed and located to reduce its visual impact on the rural environment and surrounding residential properties. The use of a monopole mast and siting on a lower level of the field, all reduce its impact on the rural area and the wider skyline.***

- ii) the possibility of shared operational facilities; and

***The proposed monopole mast is to be used by 3 telecommunications operators to site their equipment. Their associated compounds are to be coloured and additional screening is proposed to reduce their visual impact.***

- iii) the availability of suitable alternative sites

***The proposed monopole mast is to replace the existing lattice mast. The proposed site for the monopole mast is less visually intrusive than the site on which the existing mast is sited.***

6.4 Policy CS3 states that, in formulating their development proposals, telecommunications operators will be requested:

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

***The proposed monopole is to be sited approximately 220 metres from the nearest residential property which is an improvement on the existing installation which is sited immediately adjacent to the Gatehead Road and close to residential properties. Although the proposed monopole is 6 metres higher than the existing mast, it will not be more visually intrusive as it is to be sited on land of a lower level.***

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

***The applicant has submitted a ICNIRP declaration which meets the requirements of NPPG 19.***

National Planning Policy Guideline 19: Radio Telecommunications

6.6 NPPG 19 outlines Scottish Executive Policy on telecommunications development. Paragraph 39 states that the siting and design of telecommunications development are key issues to be addressed through the planning system. More environmentally sensitive solutions can be achieved through greater use of smaller and less visually intrusive equipment with less conspicuous fittings. All the components of the proposed development should be considered together, and sited and designed to minimise visual impact. This should include the antennae, any supporting structure, equipment housing, cable runs, fencing, planting, landscaping, access, power supply and land lines. Sensitive siting and design can play a part in allaying public concerns.

A range of design and camouflage techniques is available to help disguise or conceal masts, antennae, equipment housing and cable runs. There may also be opportunities for antenna to be a positive design feature.

***The proposed monopole mast has been designed and located to minimise its impact on the surrounding rural landscape. It will replace an existing lattice mast which is very prominent in the skyline. The proposed monopole mast although 6 metres higher than the existing mast will be less visually prominent as it is to be sited on a part of the field which is at a lower level. The monopole mast is to be used by 3 telecommunication operators to site their equipment. The ground equipment is also screened by additional hedging proposed along the north and east elevations of the compound. Therefore the proposed development complies with NPPG 19.***

6.7 Paragraph 53 of 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.

***Noted. 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.***

6.8 NPPG 19 requires that all applications for planning permission involving antennae 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 Telegraphy Licence.

***Noted, health concerns are thus safeguarded by means other than through the planning system. The application is accompanied by an ICNIRP declaration.***

#### Planning Advice Note 62 Radio Telecommunications

6.9 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. It offers a series of options in this respect, such as concealing and disguising, site sharing which are detailed in paragraph 6.6 above. Complex structures or unnatural shapes in the landscape tend to draw the eye. A simple mast that minimises the amount of visual information will generally be perceived as more acceptable. Slimline monopoles appears as simple well proportioned installations and are often a good solution. Equipment housing can be painted to blend in with its background and in rural areas, existing landscape features such as planting can provide screening. New planting can also help to screen equipment housing.

***The proposed monopole mast has been sited and designed to reduce its visual intrusion on the immediate rural environment and the wider skyline. Additional planting is proposed to screen the equipment compounds of the 3 telecommunications operators.***

## Planning History

6.10 01/0584/FL: Proposed Extension of 15 metres Telecommunications Tower to 18 metres and installation of 2 No. microwave dishes and 3 No. antennae and 1.8 m high fence Carmelbank Farm Crosshouse.

***This application involved an extension of the existing lattice mast by 3 metres. This application was withdrawn by the applicant.***

6.11 02/0533/FL: Proposed 21 metres high lattice mast to accommodate equipment, 15 no. panel antennas, 2 no. 0.6m microwave dishes and 1 no. 0.3m microwave dish and 4 equipment cabins compound, fence and hedge. Carmelbank Farm, Crosshouse.

***This proposal involved a 21 metre mast on the same site as the present proposal under consideration. This application was withdrawn by the applicant.***

## **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 the report, the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. There are no applicable policies contained within the Adopted Kilmarnock Local Plan or the Ayrshire Joint Structure Plan relevant to the determination of this application and as such, greater weight should be given to other material considerations. As is indicated at Section 6 of the report, there are material considerations relevant to this application.

8.2 Until such time as the EALP is adopted and in view of the more recent guidance issued by the Scottish Executive, the material considerations to which the greatest weight should currently be applied are NPPG 19 and PAN 62. It is considered that both NPPG 19 and PAN 62 are supportive of the application.

8.3 The proposed mast and associated compounds and equipment would be sited so as to minimise their impact on the visual amenity of the rural area and the wider skyline. The proposal makes use of site sharing, whilst facilitating the removal of the existing lattice mast following installation of the proposed monopole mast. Additional hedging is proposed which will help to screen the ground equipment.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved subject to the conditions indicated 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 and Building Control, the application would not require to be referred to the Development Services Committee as it would not be a significant breach of policy.

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

27 November 2002 (PC/SA)  
FV-DVM

### **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation Responses.
4. Adopted Kilmarnock Local Plan.
5. Approved Ayrshire Joint Structure Plan (1999).
6. East Ayrshire Local Plan Finalised Version with Modifications.
7. Approved Strathclyde Structure Plan.
8. National Planning Policy Guidelines 19: Radio Telecommunications.
9. Planning Advice Note 62: Radio Telecommunications.
10. Planning Application Nos: 02/0533/FL and 01/0584/FL

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

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

02/0815/FL

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Site of Proposal: Carmelbank Farm  
CROSSHOUSE KA2 0BT

Nature of Proposal: Proposed 21m High Telecommunications  
Monopole to Accommodate Equipment, 15  
No. Panel Antennas, 2 No. 0.6m Microwave  
Dishes and 1 No. 0.3m Microwave Dish  
Plus 4 Equipment Cabins, Compound,  
Fence and Hedge.

Name & Address of Applicant: Crown Castle International Ltd  
C/o James Barr Consultants  
226 West George Street  
GLASGOW  
G2 2LN

Name & Address of Agent: James Barr Consultants  
226 West George Street  
GLASGOW G2 2LN

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DPOs Reference: PC/SA

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

(1) Notwithstanding the approved plans, the monopole mast; fencing; the ground equipment and compounds shall be painted in a colour agreed by the Planning Authority prior to the monopole mast being brought into use.

REASON In the interests of residential and visual amenity.

(2) Notwithstanding the approved plans, additional planting shall be planted along the northern and eastern boundaries of the site prior to the monopole mast being brought into use. Details of the planting scheme shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and maintained thereafter.

REASON In the interests of visual and residential amenity.

(3) Within one month of the monopole mast being operational the existing lattice mast and associated ground equipment and compound shall be removed from the site on which they are located. The site shall be restored in accordance with a scheme submitted to and approved by the Planning Authority prior to the commencement of development on site.

REASON To ensure that the proposed development complies with the approved details in the interest of residential and visual amenity.

(4) Within one month of the telecommunications apparatus approved under this consent becoming operationally redundant in terms of 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 the visual and environmental quality of the surrounding area.

(5) Notwithstanding the submitted plans, visibility splay areas of 2.5 metres by 90 metres in a southerly direction shall be provided at the new access onto Gatehead Road and the existing hedge shall be mounted to a height of less than 1 metre within this area.

REASON To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

(6) Prior to the erection of the monopole mast the new access shall be constructed on site and shall be of a minor commercial access standard to the satisfaction of the Planning Authority and the Council's Roads and Transportation Division.

REASON In the interests of road safety.

NOTE: It is recommended that the applicant makes early contact with East Ayrshire Council's Roads Division regarding obtaining a Road Opening Permit and construction of the minor commercial access in accordance with the Roads Development Guide.

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