

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 15 AUGUST 2003

03/0589/FL: PROPOSED INSTALLATION OF 1 NUMBER 1.5 METRE TOWER EXTENSION, 3 NUMBER 4-STACK DIPOLE ANTENNAE AT 16.0 – 18.6 METRES, 1 NUMBER GPS ANTENNA, AND 1 NUMBER EQUIPMENT CABIN AT BENSTON MOUNT, LITTLE CREOCH FARM, NEW CUMNOCK

APPLICATION BY NTL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the extension of the existing 15 metre high telecommunications mast to support the installation of 3 dipole antennae, each 2.6 metres high and located 16.0 to 18.6 metres high on the mast extension, the installation of a single GPS antenna on an existing ground-mounted equipment cabinet, and the siting of a single equipment cabin at ground level measuring 2.74 metres wide, 2.74 metres long, and 2.796 metres high. It is not proposed to alter the existing access arrangements to the site.

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 section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application. These considerations have been assessed and are not considered to be such as to merit refusal of the application.

3.2 The proposed development is of minor mass and scale when viewed in the context of the existing telecommunications mast. Given that the proposed development is not located within a Sensitive Landscape Area and would not be unduly prominent within the wider landscape, it is considered that the application should be approved. Should planning permission be granted, appropriately

worded conditions can be imposed to ensure appropriate colouring of the mast extension and equipment, thereby further minimising visual impact.

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 will not require to be referred to the Development Services Committee because there will be no significant breach of Council 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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APPLICATION BY NTL

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, due to the nature of the proposed development.

2. APPLICATION DETAILS

2.1 **Site Description:** The site lies 2.5 kilometres north-west of New Cumnock, approximately 800 metres west of Little Creoch Farm on a hillock directly adjacent to an area of well-established deciduous trees. The site comprises an existing 15 metre high telecommunications mast, associated equipment, and a single ground-mounted equipment cabinet located within a compound enclosed by a chain link security fence. The telecommunications site is located within an area of open agricultural land and is served by a unsurfaced access track through a field which joins onto the farm access road close to its junction with the C36 public road.

2.2 **Proposed Development:** Full planning permission is sought for the extension of the existing 15 metre high telecommunications mast to support the installation of 3 dipole antennae, each 2.6 metres high and located 16.0 to 18.6 metres high on the mast extension, the installation of a single GPS antenna on an existing ground-mounted equipment cabinet, and the siting of a single equipment cabin at ground level measuring 2.74 metres wide, 2.74 metres long, and 2.796 metres high. It is not proposed to alter the existing access arrangements to the site.

3. CONSULTATIONS AND ISSUES RAISED

3.1 New Cumnock Community Council has not responded to the consultation letter at the time of writing this report.

Noted.

3.2 The Coal Authority, Scottish Power, and East Ayrshire Council Roads and Transportation Division have no adverse comments to make on the proposed development.

Noted.

3.3 National Air Traffic Services has no objections to the proposed development.

Noted.

4. REPRESENTATIONS

4.1 No letters of representation have been received with regard 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 Joint Structure Plan and the Adopted East Ayrshire Local Plan (2003).

East Ayrshire Local Plan

5.2 Policy CS2 states that the Council will consider all telecommunication proposals in the light of their particular operational requirements. In all cases, care will be taken to ensure that all telecommunications developments are sensitively sited and the Council will assess each application against the following criteria:

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

The proposed development affects an operational telecommunications mast in an area relatively remote from any community. The addition of the mast extension and the

telecommunications equipment proposed does not give rise to mast clutter. It is considered that the visual impact of the proposed development will be minimal subject to conditions to ensure appropriate colouring of the ground-based cabinet, antennae and mast extension.

- (ii) the possibility of shared operational facilities; and

The proposed development utilises an existing telecommunications mast.

- (iii) the availability of suitable alternative sites.

The applicant has stated that the proposed option proved to be most suitable in terms of operational requirements.

5.3 Policy CS3 states that, in formulating their development proposals, telecommunications 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

There are no continuously occupied or sensitive properties within 100 metres of the application site.

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

The applicant has indicated that the greatest intensity of emissions would emit from the site in a north-easterly direction. The applicant has submitted a declaration of conformity with the exposure guidelines of the International Commission on Non-Ionising Radiation Protection. NPPG 19, paragraph 53, states that the Scottish Executive considers that is not necessary for planning authorities to treat RF emissions as a material consideration.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the consultation responses, planning history, National Planning Policy Guideline 19: Radio Telecommunications, and Planning Advice Note 62: Radio Telecommunications.

Consultation Responses

6.2 The consultation replies do not indicate that the application should be refused.

National Planning Policy Guideline 19: Radio Telecommunications

6.3 NPPG 19 outlines Scottish Executive Policy on telecommunications development. Within this guidance, mast sharing is encouraged where it represents the best environmental solution. It is advised that additional equipment should be designed and positioned as sensitively as possible, though technical constraints may limit the possibilities.

The addition of the telecommunications equipment proposed and extension of the mast does not give rise to mast clutter, nor substantially serve to increase the visual impact of the mast site. It is considered that the visual impact of the proposed development will be minimal subject to conditions to ensure appropriate colouring of the ground-based cabinet, antennae, and mast extension.

6.4 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 radiofrequency (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. NPPG 19 also 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.

Planning Advice Note 62: Radio Telecommunications

6.5 Planning Advice Note 62 states that access to telecommunications services in rural Scotland is important for business, educational and social use. The landscape quality of rural areas can however be easily damaged by insensitive telecommunications installations. The impact is often heightened because equipment can be seen over long distances. It is best practice to avoid prominent locations visible from visitor attractions, scenic viewpoints, or the main line of vision from a road.

Whilst the site is elevated, over longer distances the established woodland to the west of the site serves to act as a natural backcloth to the mast when viewed from the east and substantially screens the

mast when viewed from the west. It is considered that the visual impact of the proposed development will be minimal subject to conditions to ensure appropriate colouring of the ground-based cabinet, antennae, and mast extension.

6.6 PAN 62 states that, with regard to mast sharing, this option will often enable quicker and cheaper installation. Further, the guideline states that alternatives to mast sharing will be preferable where additional antennas would lead to undue clutter, detract from the aesthetics of the existing installation, or increase mast height to an unacceptable level.

Noted. It is not considered that the extension of the mast or the installation of the additional equipment would lead to clutter or detract from the aesthetics of the existing mast. The extension to the existing mast does not represent a substantial increase in the mast height to an unacceptable level.

Planning History

6.7 The original mast, antennae, and ground-based equipment compound equipment were erected without the need for planning permission prior to changes in planning legislation which came into effect in August 2001.

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 is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application. These considerations have been assessed and are not considered to be such as to merit refusal of the application.

8.2 The proposed development is of minor mass and scale when viewed in the context of the existing telecommunications mast. Given that the proposed development is not located within a Sensitive Landscape Area and would not be unduly prominent within the wider landscape, it is considered that the application should be approved. Should planning permission be granted, appropriately

worded conditions can be imposed to ensure appropriate colouring of the mast extension and equipment, thereby further minimising visual impact.

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 and Building Control, the application will not require to be referred to the Development Services Committee because there will be no significant breach of Council policy.

Alan Neish
Head of Planning and Building Control

21 July 2003
RD/RD
FV/AN

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Supporting Statement submitted on behalf of applicant.
3. Statutory Notices and Certificates.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).
7. National Planning Policy Guideline 19: Radio Telecommunications.
8. Planning Advice Note 62: Radio Telecommunications.

Anyone wishing to inspect the above background papers should contact Mr Robert Duncan on 01563 555483.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 03/0589/FL

Location	Benston Mount, Little Creoch Farm, New Cumnock, KA18 4QE
Nature of Proposal:	Proposed installation of 1 number 1.5 metre tower extension, 3 number 4-stack dipole antenna at 16.0 – 18.6 metres, 1 number GPS antenna, and 1 number equipment cabin
Name and Address of Applicant:	NTL, Crawley Court, Winchester, Hampshire, SO21 2QA
Name and Address of Agent	Mr N Tutton, NTL, Crawley Court, Winchester, Hampshire, SO21 2QA

DPO's Ref: Robert Duncan
PPO's Ref: Hugh Melvin

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

1. In the event that equipment becomes obsolete or redundant it shall be removed and the site reinstated to the satisfaction of the planning authority within three months of such equipment becoming obsolete or redundant.

REASON – In the interests of visual amenity and to ensure the reinstatement of the site to a satisfactory standard

2. The proposed ground-based equipment cabinet shall be finished with a solid matt dark green finish unless otherwise agreed in writing with the Planning Authority prior to construction works commencing on site.

REASON – To minimise the level of visual intrusion in the rural landscape

3. No symbols, signs, logos, or other lettering shall be displayed on any part of the antennas equipment housing or cabinet without the prior written approval of the planning authority, except small signage necessary for operational reasons.

REASON – To minimise the level of visual intrusion and protect the quality and character of the rural area as far as practicable

4. The proposed mast extension and 3 number 4-stack dipole antenna located 16.0 to 18.6 metres above ground level on the telecommunications mast shall be finished with a solid matt light grey finish unless otherwise agreed in writing with the Planning Authority prior to construction works commencing on site.

REASON – To minimise the level of visual intrusion in the rural landscape

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