

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 23 MAY 2003

03/0224/FL: PROPOSED INSTALLATION OF A 20 METRE HIGH LATTICE TOWER PLUS 2.5 METRE HIGH HEADFRAME SUPPORTING 3 NUMBER 4 STACK ANTENNAE AND 2 NUMBER TRANSMISSION DISHES, 1 NUMBER CABIN TO BE LOCATED AT GROUND LEVEL, ALL TO BE SURROUNDED BY A 1 METRE HIGH STOCK PROOF FENCE AT MANEIGHT FARM, DALLEAGLES, NEW CUMNOCK

APPLICATION BY AIRWAVE MMO2 LTD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of a 20 metre high telecommunications lattice mast, accommodating 3 vertical antenna each 2.5 metres high and located on top of the proposed mast 20 metres above ground level, 2 number 0.6 metre diameter microwave dishes located near the top of the proposed mast, 1 ground-based meter cabinet, and 1 ground-based equipment cabinet within a compound extending to 120 square metres. It is proposed to enclose this compound with a 1.0 metre high post and rail fence.

1.2 Access to the compound is proposed via the existing field gate located to the south-east of the site. Through the area of open ground, it is proposed to use temporary ground protection / spreader plates during construction works, which will be removed upon completion of construction works.

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 A condition can be attached to ensure that the proposed telecommunications mast will provide an opportunity for mast sharing with another operator in the future. This may serve to negate the requirement for a further telecommunications mast in the locality. Given that the site is not located within a Sensitive Landscape Area, does not impinge on any recognised area of conservation interest and is not unduly prominent within the wider landscape, it is considered that 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 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 AIRWAVE MMO2 LTD

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 is located approximately 200 metres to the north-west of the B741 New Cumnock – Dalmellington public road near Maneight Farm which lies within the rural area 7.5 kilometres east of Dalmellington. The site comprises open agricultural grazing land which gently slopes towards the north-west away from the public road. An area of mature coniferous forestry plantation is located immediately to the north and east of the site. Access to the site is gained through a single field gate located on the northern side of the B741 public road.

2.2 **Proposed Development:** Full planning permission is sought for the erection of a 20 metre high telecommunications lattice mast, accommodating 3 vertical antenna each 2.5 metres high and located on top of the proposed mast 20 metres above ground level, 2 number 0.6 metre diameter microwave dishes located near the top of the proposed mast, 1 ground-based meter cabinet, and 1 ground-based equipment cabinet within a compound extending to 120 square metres. It is proposed to enclose this compound with a 1.0 metre high post and rail fence.

2.3 Access to the compound is proposed via the existing field gate located to the south-east of the site. Through the area of open ground, it is proposed to use

temporary ground protection / spreader plates during construction works, which will be removed upon completion of construction works.

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 has no adverse comments to make on the proposed development.

Noted.

4. REPRESENTATIONS

4.1 None.

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 new mast is located in an area relatively remote from any community. The new mast will be located around 200 metres from the B741 public road which links Dalmellington with New Cumnock. It is noted that the application site does not impinge on any statutory or non-statutory sites of nature conservation interest, nor is it located in a Sensitive Landscape Area. Whilst the proposed

new mast will be visible from the B741 public road, the distance of the site from the road, the backcloth of coniferous trees adjacent to the site, and the topography of the intervening area of open land cumulatively serve to limit the visual impact of the proposed development.

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

An appropriately worded condition can be attached to the planning permission to ensure that the proposed mast is capable of being shared with another operator. This may serve to negate the need to provide a separate telecommunications site in proximity of the existing site, should future demand for such a facility arise.

- (iii) the availability of suitable alternative sites.

It is understood that a site was required in this part of East Ayrshire in order to provide part of the Airwave radio service to Strathclyde Police, whereby full coverage is sought along all minor and major roads. Prior to selecting the application site, a search was undertaken by the applicant of other potential sites within the area. Four alternative sites were investigated which were all found not technically capable of providing the required level of coverage.

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

The nearest continuously occupied property is Maneight Farmhouse, the owner of which has an interest in the proposed development. There are no other 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 applicants have indicated that the greatest intensity of emissions would emit from the site 170 degrees in a southerly direction. The applicants have 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, 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. With regard to new ground based masts the guideline states that the siting and design of ground based masts must have regard to the landscape or townscape and make use of existing features to minimise any adverse visual effects.

Noted. The site is located some distance from the B741 public road, adjacent to a backcloth of coniferous trees, and within a small hollow at a lower level than the road. Further, the site is not located on a prominent ridgeline within the wider landscape.

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.

Noted. There are no scenic viewpoints or major visitor attractions within the vicinity of the site. Whilst the proposed new mast will be visible from the B741 public road the distance of the site from the road, backcloth of coniferous trees adjacent to the site, and the topography of the intervening area of open land cumulatively serve to limit impact on the visual amenity of the rural area.

6.6 PAN 62 states that where there is a backcloth of ground or trees, dark matt green or brown is usually the most appropriate colour.

Noted. An appropriately worded condition can be attached to the planning permission to ensure that the development is appropriately coloured. This would serve to camouflage the lower 12 to 13 metres of the proposed mast and equipment when viewed from the south and east.

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 A condition can be attached to ensure that the proposed telecommunications mast will provide an opportunity for mast sharing with another operator in the future. This may serve to negate the requirement for a further telecommunications mast in the locality. Given that the site is not located within a Sensitive Landscape Area, does not impinge on any recognised area of conservation interest and is not unduly prominent within the wider landscape, it is considered that 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 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

08 May 2003
RD/RD
FV/DVM

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: 03/0224/FL

Location	Maneight Farm, Dalleagles, New Cumnock
Nature of Proposal:	Proposed installation of a 20 metre high Lattice Tower plus 2.5 metre high Headframe supporting 3 number 4 stack Antennae and 2 number Transmission Dishes, 1 number Cabin to be located at ground level, all to be surrounded by a 1 metre high stock proof fence
Name and Address of Applicant:	Airwave MMO2 Ltd, Craig House, Mason Street, Motherwell, ML1 1YE
Name and Address of Agent	Patrick Farfan Associates, Adelphi Centre, 12 Commercial Road, Glasgow, G5 0PQ

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 development including the mast, associated equipment housing cabinets, antennas and cabling 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 structure, antennas, equipment housing or fencing 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 mast shall be structurally capable of being shared by additional radio telecommunication equipment.

REASON – To enable potential mast sharing

5. No surface water or other material shall issue from the site onto the B741 public road.

REASON – To ensure the provisions and maintenance of a secure road surface in the interests of road and public safety

6. Access to the site shall be taken via the existing field gate shown in yellow on the docketted approved plan, unless otherwise agreed in writing with the planning authority prior to the commencement of works on site.

REASON – In the interests of public and road safety

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