

# Report

Report to:	<b>Hamilton Area Committee</b>
Date of Meeting:	<b>22 November 2006</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/06/0544
Planning Proposal:	Erection Of 20m High Telecommunications Monopole And Associated Equipment

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Orange PCS Ltd
- Location : Castle Park  
Forrest Street  
Blantyre

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – (Subject to the Conditions - Based on the Conditions Attached)

### 2.2 Other Actions/Notes

- (1) The Area Committee has the delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: John Church
- ◆ Council Area/Ward: 34 Coatshill/Low Blantyre
- ◆ Policy **Hamilton District Local Plan**  
Reference(s): Policy RES1 – Residential Areas – General  
Policy DC11 – Telecommunications Development  
**South Lanarkshire Planning Policies**  
SLP9 – Telecommunications Developments  
**South Lanarkshire Local Plan (Finalised)**  
Policy RES6 – Residential Land Use  
Policy DM12 – Telecommunications Development

- ◆ Representation(s):  
  - ▶ 1 Objection Letter (61 signature petition)

- ◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

Environmental Services

# Planning Application Report

## 1 Application Site

- 1.1 The application site forms part of the Blantyre Victoria Football Club, Castle Park, Blantyre and is located to the rear of the club house. The site is located within the car park for the Blantyre Victoria Football Club and is adjacent to Auchinraith Industrial Estate. Some planting of approximately 4m in height and a 1.8m high wire mesh fence separates the football club grounds and the industrial estate.
- 1.2 The closest residential properties can be found some 80 metres to the south west, between which is the 5m high football club house, seating area and football pitch. Further a field, residential properties are located to the south of the site, approximately 130 metres from the proposed development, beyond the football pitch.

## 2 Proposal(s)

- 2.1 The applicants propose the erection of a 20 metre high slimline, monopole telecommunications mast with integral antenna, transmission dishes and associated equipment cabinets. The proposed equipment will be located within a compound enclosed by a 1.8m high fence and three strands of barbed wire.
- 2.2 An ICNIRP compliant declaration and supporting statement has been submitted in respect of the proposal. The ICNIRP certificate certifies that the installation will operate within permitted guidelines for public exposure to radiofrequency radiation.
- 2.3 The applicants also submitted detailed photomontages of the proposal as a result of initial concerns by the Planning Service about the height of the structure.

## 3 Background

### 3.1 Local Plan Status

- 3.1.1 The area identified for the telecommunications development is affected by Policy RES1 in the adopted Hamilton District Local Plan. Policy RES1 – Residential Areas – General seeks to resist any developments detrimental to the amenity of these areas.
- 3.1.2 The adopted Hamilton District Local Plan includes a specific policy on Telecommunications Development (Policy DC11). This policy states that the Council in assessing telecommunications proposals will require to be satisfied that;
  - there are no satisfactory alternative sites;
  - there is no reasonable possibility of sharing existing facilities;
  - there is no reasonable possibility of installing antennae on existing buildings or structures;
  - the siting and appearance of the proposal have been designed to minimise impact on amenity.
- 3.1.3 Policy SLP9 - Telecommunications Development of the South Lanarkshire Planning Policies was approved by the Planning Committee on the 4 December 2001. This was prepared in response to government guidance on the siting and design of telecommunications development. This revised policy is a material consideration in

determination of the application. The policy identifies good practice siting and design guidance and examples of 'Sensitive Sites' and 'Siting Opportunities'.

3.1.4 Policy RES6 of the South Lanarkshire Local Plan (Finalised) is also a material planning consideration and provides general guidance in support of development in the areas controlled by this policy. Policy RES6 notes that the Council will resist developments which will be detrimental to the amenity of the area. Proposals will be judged on their own merits.

3.1.5 Policy DM12 of the South Lanarkshire Local Plan (Finalised) reiterates much of the revised Telecommunications Development Control Policy, providing guidance and policy on siting and design of telecommunications equipment.

### 3.2 Relevant Government Advice/Policy

3.2.1 Following growing concerns about the lack of control over the erection of mobile phone masts, the Scottish Executive introduced a change to permitted development rights available to telecommunications operators. These changes are set out within the Town and Country Planning (General Permitted Development) (Scotland) Amendment (No 2) Order 2001. Further guidance on these amendments was issued in Circular 5/2001.

3.2.2 The Scottish Executive supports the expansion and diversification of the telecommunications industry, but recognises that this must be done sensitively to safeguard our natural and built environment. Government guidance with regards the siting and design of telecommunication apparatus is set out within National Planning Policy Guidance Note 19 (NPPG 19) – Radio telecommunications and Planning Advice Note 62 (PAN62) – Radio telecommunications.

3.2.3 In terms of this policy guidance all new development should be sited and designed to minimise visual impact. It is advised that this may be achieved by following the series of options below: -

- use of small scale equipment
- use of camouflage/other design techniques
- mast sharing
- site sharing
- ground based masts – the last option, but will still require to minimise any adverse visual effect

### 3.3 Planning History

3.3.1 There is no planning history relative to this current submission.

## 4 **Consultation(s)**

4.1 **Roads and Transportation Service** - have responded by stating that the installation will not affect the public road network and they do not therefore offer any objection to the proposed development.

**Response:** Noted

4.2 **Environmental and Strategic Services** - responded by noting that telecommunication proposals often spark concerns with regards to the perceived long-term health and safety effects associated with non-ionising radiation omitted from installations. The Health and Safety Executive (HSE) have however stated that

there is no reason to object to the construction of such masts on the grounds of public safety. On this basis, Environmental Services offer no objections to the proposed development.

**Response:** Noted. An ICNIRP certificate was submitted as part of the planning application, certifying the installations compliance with the relevant guidelines.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken and the application was advertised in the Hamilton Advertiser as 'Development Potentially Contrary to the Development Plan'. One letter with a petition of 61 signatures was received, objecting to the proposal from local residents and associated tenants living in the Devlin Grove Sheltered Complex which is located approximately 130m to the south of the application site. These objections have been summarised below.

**(a) There is an over provision of telecommunications masts within the local area.**

**Response:** It is acknowledged that there are currently four telecommunications installations within proximity of the site. These installations have however been discounted by the applicant, in terms of sharing, for a variety of reasons. I am satisfied that mast sharing is not an option in this instance. Furthermore, National Planning Policy Guidelines state that planning authorities should not question whether the service to be provided is needed, nor should they seek to prevent competition between operators. NPPG19 also states that Planning Authorities should be "*aware of the obligations that licences place on the operators in terms of meeting reasonable customer demands and service provision*". The applicant does not currently have an installation within the locale and have justified the requirement for the installation through coverage plots.

**(b) The possible health effects caused by the electro magnetic radiation omitted from the proposed installation and in particular the cumulative impact from the surrounding installations.**

**Response:** Government advice in this regard is that there is no evidence to support these concerns. Furthermore, subject to compliance with ICNIRP Public Exposure Guidelines, the Government has further advised these concerns are not a material planning consideration. It should be noted that an ICNIRP Declaration has been submitted in support of this proposal.

This letter and petition has been copied and is available for inspection in the usual manner.

## **6 Assessment and Conclusions**

- 6.1 The proposal involves the erection of a 20 metre high telecommunications monopole and associated equipment within the grounds of Blantyre Victoria Football Club. The main determining issues in assessing this proposal are whether it accords with local plan policy and current policy guidance relevant to the siting and design of telecommunications apparatus.
- 6.2 With regards to the sites designation within the development plan, the adopted Hamilton District Local Plan and the Finalised South Lanarkshire Local Plan both identify the site as a residential area, under Policy RES1 and Policy RES6

respectively. These policies seek to resist any development which is detrimental to the amenity of these areas.

- 6.3 In general terms, Government guidance relevant to this proposal is detailed within NPPG19 and PAN62. This guidance stipulates that the development should be designed to minimise environmental and visual impact through exploration of a range of options including mast sharing, site sharing and placement on existing buildings etc.
- 6.4 South Lanarkshire Council recognises the importance of the telecommunications industry and the contribution it makes to the Scottish economy. The Council has based much of the local plan policy relevant to telecommunications on the policy and design advice given by the Scottish Executive within NPPG19 and in PAN62. While the Council seek to assist the expansion of the industry, it must ensure that the environmental impact of telecommunications equipment is acceptable. The siting, design and environmental impact is therefore the key planning issues to be addressed by the Council.
- 6.5 The Council have prepared a Telecommunications Development Control Policy (SLP9 of the South Lanarkshire Planning Policies), to supplement Policy DC11 of the Hamilton District Local Plan. This policy sets out in greater detail the Council strategy towards telecommunications. The policy provides details of the 'Siting Opportunities' and 'Sensitive Sites', design guidance and suitable conditions to be placed on planning approvals. Policy DM12 of the Finalised South Lanarkshire Local Plan reiterates much of SLP9 of the South Lanarkshire Planning Policies.
- 6.6 The Council's approved telecommunications policies include a strong presumption against telecommunications development within sensitive locations. These include areas, within or adjoining residential areas or sites within clear views of residential areas, public open space/recreational areas and prominent sites close to and clearly visible from public roads.
- 6.7 The site, located within a residential area, is therefore considered under Policy SLP9 and DM12 to be a 'sensitive site'. This site is however located adjacent to the boundary of an industrial area, which is considered to be a 'siting opportunity' within Policy SLP9 & DM12. The closest residential property is located 80m from the site and many similar structures exist within the adjoining industrial area.
- 6.8 Whilst there is a general presumption against telecommunications development in residential areas, this is unless the development is either small scale, disguised or concealed or unless it can be demonstrated that it would have no adverse impact on visual amenity of the area. I would consider that the siting of the apparatus, as proposed, will not have a significant visual impact on the amenity of the area that exists at present. The views of the mast from residential properties overlooking the site will be lessened as the mast will be viewed in conjunction with structures of similar dimensions located within the industrial estate. Furthermore, no residential properties have primary frontages overlooking the site. I am therefore of the opinion that the mast will not create a significant detriment to the amenity of the nearby residential properties to merit a refusal.
- 6.9 The Council's telecommunications developments policies require that the Council takes account of the technical and operational requirements when assessing proposals. In this regard, the applicants, within their supporting statement and

additional information submitted during the planning application, have highlighted ten alternative locations considered for the siting of the proposed mast. However, these were considered unacceptable for a variety of reasons and I accept these findings. The applicant also adequately justified the height of the proposed structure through coverage plots and a written justification. It is considered that the chosen location is acceptable in terms of visual impact, in serving the requirements of the operator and does not conflict with either Government guidance or the criteria set out in the Council's telecommunications developments policies.

- 6.10 No objection were received from statutory consultees and the representations received are unsupported in this instance. Although the application was advertised in the local press as Development Potentially Contrary to the Development Plan, on detailed examination, the proposals are found to be consistent with the terms of the development plan.
- 6.11 I do not therefore feel that a proposal to site a telecommunications mast and associated equipment at this location is in conflict with the residential designations contained within Policy RES1 and RES6. The proposal satisfies the criteria set out within the Council approved policies and the Government's guidance on telecommunications development and I therefore recommend the approval of this application.

## **7 Reasons for Decision**

- 7.1 The proposal is in accordance with National planning policy and guidelines relevant to telecommunications, and is consistent with Policies RES1, DC11 of the adopted Hamilton District Local Plan, South Lanarkshire Planning Policy SLP9 and Policies RES6 and DM12 of the South Lanarkshire Local Plan (Finalised).

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**7 November 2006**

## **Previous References**

None

## **List of Background Papers**

Application Form  
Application Plans  
Consultations

Environmental Services

16/08/2006

Roads and Transportation Services (Hamilton Area)

07/09/2006

► Representations

Representation from : Christine Lawson & James Jeffrey, 3 Devlin  
Grove,Blantyre,G72 0LX, DATED 28/08/2006

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please  
contact:-

Donald Wilkins, Planning Officer, Brandon Gate, Hamilton  
Ext 3513 (Tel: 01698 453513)  
E-mail: [Enterprise.hamilton@southlanarkshire.gov.uk](mailto:Enterprise.hamilton@southlanarkshire.gov.uk)



## Detailed Planning Application

PAPER APART – APPLICATION NUMBER: HM/06/0544

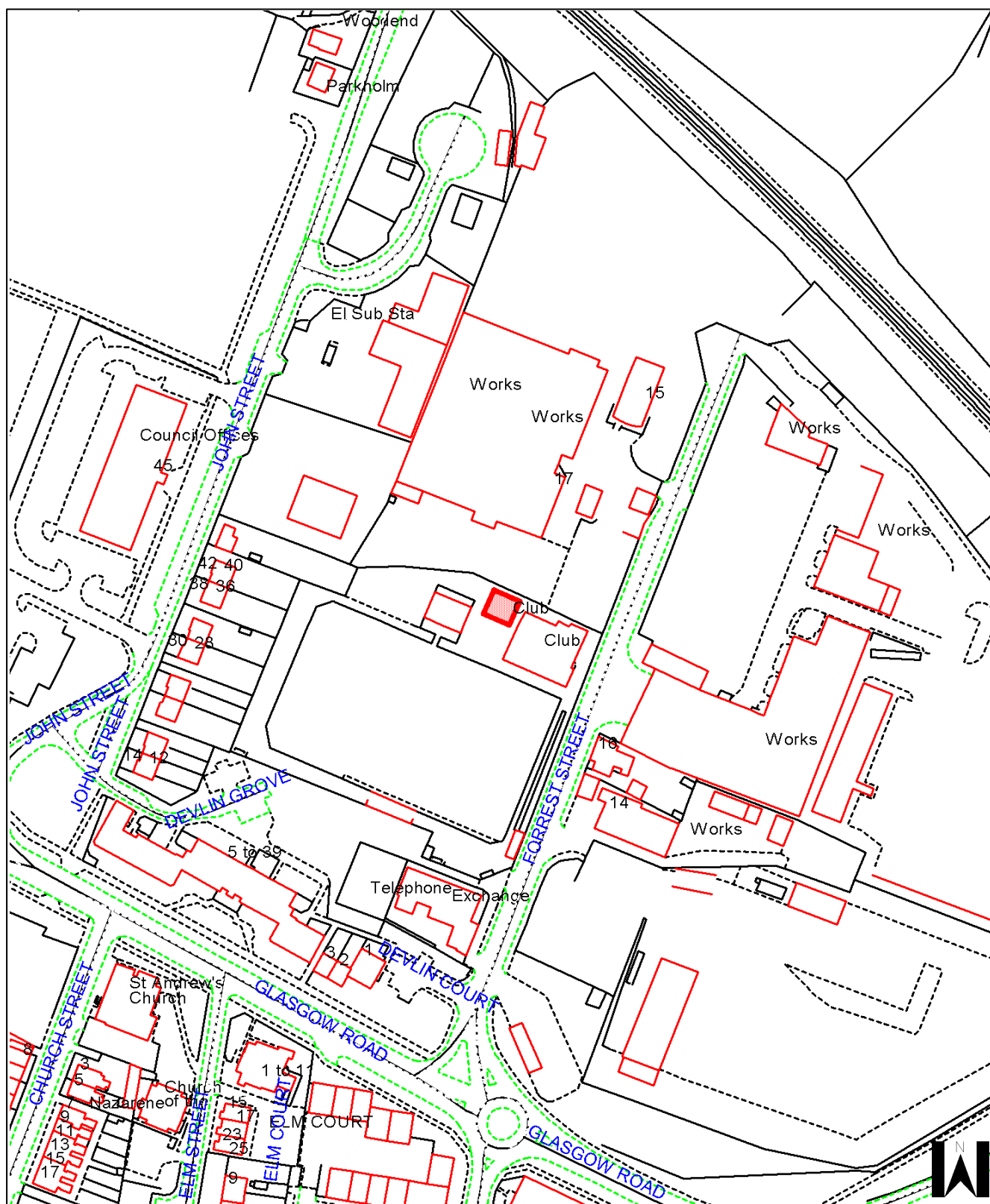
### CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 In the event that equipment becomes obsolete or redundant it must be removed and the site reinstated to the satisfaction of the planning authority within 3 months.
- 4 Prior to installation, the mast, fencing cabin and all other related equipment, fixtures or fittings shall be coloured grey BS4800 10A05 and thereafter they shall be maintained as such, to the satisfaction of the planning authority.
- 5 No symbols, sign, 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.
- 6 The mast shall be structurally capable of being shared by additional radio telecommunication equipment.
- 7 The site shall not be illuminated by lighting without the prior written approval of the planning authority.

### REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 To minimise the level of visual intrusion, and ensure the reinstatement of the site to a satisfactory standard.
- 4 To minimise the level of visual intrusion, and to protect the quality and character of the area as far as practicable.
- 5 To minimise the level of visual intrusion, and to protect the quality and character of the area as far as practicable.
- 6 To enable potential mast sharing.
- 7 To minimise the level of visual intrusion and protect the quality and character of the area.

For information only



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