

Report

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Report to:	Cambuslang/ Rutherglen Area Committee
Date of Meeting:	24 May 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CR/10/0256
Planning Proposal:	Erection of 12.5m Telecommunications street Furniture and Associated Equipment Cabinets

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : O2/Vodafone
- Location : Pavement East of Main Street/McCallum Avenue Junction
Main Street
Rutherglen

2 Recommendation(s)

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

- (1) Refuse Detailed Planning Permission (for the reasons stated).

2.2 Other Actions/Notes

The Cambuslang and Rutherglen Area Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: WFS Telecom
- ◆ Council Area/Ward: 12 Rutherglen Central and North
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted)**
RES6 – Residential Land Use
DM1 – Development Management
DM12 – Telecommunications Development

- ◆ Representation(s):

- ▶ 2 Objection Letters
- ▶ 1 Petition (with 23 signatures)
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

- ◆ Consultation(s):

Rutherglen Community Council

Environmental Services

Roads and Transportation Services (Cambuslang/Rutherglen Area)

Planning Application Report

1 Application Site

- 1.1 The application site relates to an area of ground forming part of the public footway on Main Street, Rutherglen just to the east of the junction with McCallum Avenue. The site is bounded on all sides by residential properties.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of a 12.5m telecommunications street furniture monopole and associated equipment cabinets. It is noted that the mast height was originally 15m.

3 Background

3.1 Local Plan Status

- 3.1.1 The South Lanarkshire Local Plan (adopted) provides the development plan context for this application. The application site lies within an area covered by Policy RES6 – Residential Land Use Policy RES6 which states that the Council will resist any development that will be detrimental to the amenity of residential areas and that the development must relate satisfactorily to the surrounding environment.

- 3.1.2 Policy DM1 – Development Management states that all planning applications should take account of the local context and built form and that all development should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

- 3.1.3 Policy DM12 – Telecommunications Development is of particular importance in relation to this application. This policy states that in assessing telecommunications proposals the Council will require to take account of the impact on visual amenity, character and appearance of the surrounding area and minimise environmental and visual impact through the exploration of a range of options including concealment/disguise, the use of small scale antennas/equipment and the use of innovative design.

3.2 Relevant Government Advice/Policy

- 3.2.1 The Scottish Government 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 Scottish Planning Policy (February 2010) which supersedes National Planning Policy Guidance Note 19 (NPPG 19) – Radio telecommunications and Planning Advice Note 62 (PAN62) – Radio telecommunications.

- 3.2.2 In terms of the current SPP this policy guidance advises that 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: -

- Installation of smallest suitable equipment,
- Concealing and disguising masts, antennas, equipment housing and cable runs, using design and camouflage techniques,
- Mast or site sharing,
- Installations on buildings and existing structures, and
- Installation of ground based masts.

3.3 Planning History

- 3.3.1 There are no records of any applications at this site within the last ten years.

4 Consultation(s)

4.1 **Roads and Transportation Services** – recommend refusal of the application on the grounds of road safety. Vehicles involved in maintenance operations of the equipment would park at the road junction to access the proposed site; this would be a safety risk. The proposal would not adversely impact on pedestrian or vehicular visibility.

Response: It is not regarded that maintenance issues alone would justify the refusal of this application as there is a bus stop and telephone box in the vicinity of the application site which also require maintenance. It is noted that no objections were raised in relation to pedestrian and vehicular visibility.

4.2 **Environmental Services** – no objections subject to advice notes being attached to any consent relating to noise.

Response: Noted.

4.3 **Rutherglen Community Council** – no objections.

Response: Noted.

5 Representation(s)

5.1 Following statutory neighbour notification, two letters of representation have been received for this application. The main points are as follows:

a) **It has been stated by the Council that no development will be allowed in this locale as a fence has previously been refused in the vicinity of the application site.**

Response: Every planning application is assessed individually on its own merit.

b) **It would appear that the application area is deemed to be a ‘sensitive site’ due to its residential location. Telecommunications development can be acceptable should necessary ‘screening’ be in place to provide an acceptable ‘backdrop’. It should be noted that trees currently in situ behind the site could be removed in the future, thus no longer providing a ‘backdrop’.**

Response: The site is located within a residential area which in terms of the Local Plan Policy is identified as being a sensitive site where there is strong presumption against telecommunications development if it adversely impacts on visual amenity.

c) **There are currently several structures directly to the front of number 330 Main Street (bus shelter, telephone box, electrical junction box) which taken together with the proposed development would create an adverse impact to the area and have a detrimental effect on property values. The area would become a ‘dumping ground’ for street furniture.**

Response: Potential impact on property values is not a material planning consideration. Individual proposals should be sited and designed as sensitively as possible in order to minimise potential adverse cumulative visual impact.

d) **It should be noted that the pavement where the application site is located does not benefit from the Council’s road and pavement cleansing. Further structures adjacent to the boundary fence with 330 Main Street will further impede the Council’s attempts at cleansing duties.**

Response: This is not a material planning consideration.

e) **The proposed structures are close to a very busy junction. Safety issues may arise from service vehicles parking within close proximity of these structures. The area is a main thoroughfare and will leave the pavement quite narrow.**

Response: Roads and Transportation raised concerns in relation to the future maintenance of the apparatus as vehicles would park at the road junction to access the proposed site creating a safety risk. There is a telephone box and bus stop adjacent to the site which require to be maintained and it is therefore regarded that this issue would not justify the refusal of this application alone. It is noted that Roads and Transportation Services raised no objections in relation to pedestrian or vehicular visibility.

- f) **It is regarded that the proposed development would have an adverse impact on the property at 330 Main Street and the surrounding wider area in general. It has been found that within a reasonable radius of this property that no masts have been found directly in front of a residential property. In fact, due to the corner position of this property and the restricted garden area at the rear, the proposed installation would be placed directly in front of the main recreational area. The standard telecommunication installations viewed appear, without exception, to be placed sympathetically with no direct adverse impact on one particular resident.**

Response: It is agreed that the mast would have an unacceptable impact on the visual and residential amenity of the area.

- g) **It is noted in the pre application notice that SLC had refused the proposer any further development on an SLC site less than 100 metres from the preferred site. It is understood that SLC will receive annual revenues as a result of these installations and it is felt that approval of this application and any subsequent appeals would raise many more questions as to why this area can be developed when Planning was refused for a non revenue application at 330 Main Street. In the interest of continuity, the same argument is applicable that was used previously, 'not in keeping with the surrounding area'.**

Response: Every planning application is assessed individually on its own merits. However, it is regarded that a telecommunications mast at this location would be out of keeping with the surrounding area.

- h) **The proposed mast would adversely impact on the value of residential properties in the surrounding area as people are still apprehensive about mobile phone masts.**

Response: The impact on property values as a result of any proposed development does not constitute a material planning consideration in the assessment of this planning application.

- i) **Other areas could be considered for the siting of a mast.**

Response: Supporting information has been submitted which discount nearby sites. The application is assessed at the preferred site, selected by the applicant.

These letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of a 12.5m high telecommunications street furniture monopole and associated equipment cabinets. The main considerations in determining this application are its compliance with local plan policy, government guidance on telecommunications equipment, its impact on road/pedestrian safety and its impact on the amenity of the surrounding area.
- 6.2 Government guidance is set out within Scottish Planning Policy (February 2010) and Planning Advice Note 62 (PAN62) – Radio Telecommunications. Paragraphs 250 –

254 of Scottish Planning Policy and paragraphs 37-76 of PAN 62 relate to the siting and design of Telecommunication Equipment. They both advise that in selecting the site and design both operators and planning authorities should consider a series of options. The options are:

- installing small scale equipment
- concealment or disguising equipment
- mast sharing
- site sharing
- installing on existing buildings or other structures; and
- erecting new ground based mast.

- 6.3 In considering the options there must be regard to the cumulative effects of telecommunications masts. There is a need to think beyond individual proposals and consider how future telecommunications equipment will be integrated into the landscape.
- 6.4 It further advises that whilst antennas and other equipment can be disguised as street furniture, such as street lighting, such installations have to respect the townscape qualities of the area. I am of the opinion that the proposal does not respect the existing street scene as the mast is considerably higher than existing lampposts, street furniture and nearby residential dwellings. Although the height of the mast has been reduced from 15m in height to 12.5m, it is regarded that this would not aid acceptability.
- 6.5 Paragraph 44 of PAN 62 – relative to mast sharing, advises that conditions in the code systems operators' licences requires that the possibility of sharing an existing radio site be explored and that evidence of this should accompany planning applications. The supporting information lists fourteen alternative sites that have been considered. All of these were discounted due to their unsuitability, ranging from permission not forthcoming for siting, lack of coverage, unacceptable impact on aesthetics of buildings, pavement width and visual intrusion. With regards to the provision of a ground based mast, whilst this is the last option in the series, government guidance advises that this does not mean that it will not be the best solution. The current proposal is part of the strategic partnership between Vodafone and 02 to share mobile assets in the U.K. However, although other sites have been discounted, it is regarded that the application site is not appropriate for the development proposed as the mast would break the skyline in all directions and form an obtrusive element in the streetscape. Although trees to the rear could act as a backdrop, there can be no guarantee that these will remain in the future.
- 6.6 In terms of the South Lanarkshire Local Plan (adopted), Policies RES6 – Residential Land Use, DM1 – Development Management and DM12 – Telecommunications Development are applicable. Policy RES6 states that the Council will resist any development that will be detrimental to the amenity of residential areas and that the development must relate satisfactorily to the surrounding environment. Policy DM1 states that all planning applications should take account of the local context and built form and that all development should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. The proposal is located within an area outlined as Residential Land Use and it is regarded that the development would be detrimental to the amenity of the surrounding area due to the height of the mast, even with a reduction in height from the original 15m to 12.5m. It is further regarded that the proposed mast is not compatible with the surrounding streetscape for the same reason. Although there is street furniture present adjacent to the site, it is regarded that the

addition of a mast and equipment cabinets will create visual clutter in the locale to the detriment of residential amenity. In addition, the mast will be significantly higher than nearby housing and lampposts – to the detriment of the visual amenity of the area. In this regard, the proposal is not deemed to be in accordance with the aforementioned policies.

- 6.7 With regards to the Council's telecommunication policy, Policy DM12 of the South Lanarkshire Local Plan states that the Council should have regard to government policy and to local plan policies which seek to safeguard amenity and the environment. It is regarded that the proposed mast would be significantly higher than any existing street furniture in the area and would be detrimental to the amenity of the area. The proposed location for the mast is within a 'sensitive site' due to it being within a residential area and due to its prominence in the streetscape, it is regarded that it would have an unacceptable impact on amenity of the nearby residential properties.
- 6.8 2 letters of representation have been received and it is regarded that a number of the points raised merit the refusal of the application. Objections have also been received following consultation.
- 6.9 The proposal does not accord with the criteria set out within Council approved policies and the Government's guidance on telecommunications development and I therefore recommend that planning permission be refused.

7 Reasons for Decision

- 7.1 The proposal is not in accordance with government guidance on the siting and design of telecommunications apparatus as detailed within Scottish Planning Policy and Planning Advice Guidance Note 62 – Radio Telecommunications. In addition, the proposal is not deemed to be in accordance with Policies RES6, DM1 and DM12 of the South Lanarkshire Local Plan (adopted) and the guidance notes contained therein.

Colin McDowall
Executive Director (Enterprise Resources)

10 May 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Environmental Services 19/11/2010
 - Roads and Transportation Services (Cambuslang/Rutherglen Area) 19/11/2010

► Representations

Representation from : W Gowan, 31 McCallum Avenue, Rutherglen , G73 3AJ,
DATED 25/11/2010

Representation from : David Sheard, 330 Main Street, Rutherglen, Glasgow, G73
3AP, DATED 24/11/2010

Contact for Further Information

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

Alastair McGibbon, Planning Officer, Civic Centre, East Kilbride

Ext 6386, (Tel :01355 806386)

E-mail: Enterprise.ek@southlanarkshire.gov.uk

Detailed Planning Application

PAPER APART – APPLICATION NUMBER: CR/10/0256

REASONS FOR REFUSAL

- 1 The proposal is contrary to Policy DM12 - Telecommunications Development of the adopted South Lanarkshire Local Plan in that it relates to a site within a residential area where, by virtue of its scale and size, would form an obtrusive and over dominant feature which would have an adverse impact on visual amenity.
- 2 If approved, the proposal would set an undesirable precedent which could encourage further similar applications for proposals which would exacerbate the problems stated above.
- 3 This decision relates to drawing numbers: 100 Issue: 2, 200 Issue: 2, 300 Issue:2 and 400 Issue: 2

CR/10/0256

Planning and Building Standards Services

Pavement East of Main Street/ McCallum Avenue junction,
Rutherglen

Scale: 1: 1250

For information only

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