

	<h1>Report</h1>	Agenda Item <h1>4</h1>
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Report to:	Planning Committee
Date of Meeting:	8 February 2011
Report by:	Executive Director (Enterprise Resources)

Application No	HM/10/0538
Planning Proposal:	Erection of 14.8 Metre Telecoms Mast and Associated Equipment

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Vodafone UK Ltd
- Location : Footway adjacent to
Carlisle Road
Hamilton

2 Recommendation(s)

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

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

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: Mono Consultants Ltd
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan**
Policy RES6 - Residential Land Use Policy
Policy DM12 – Telecommunications

- ◆ Representation(s):
 - ▶ 20 Objection Letters
 - ▶ 1 Petition (with 64 signatures)

- ◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

Environmental Services

Planning Application Report

1 Application Site

- 1.1 The application site relates to an area of ground forming part of the public highway on the north side of Carlisle Road, Hamilton.
- 1.2 At present the area forms part of a public footpath and is located immediately adjacent to an area of open space approximately 45 metres wide which accommodates various clusters of trees. There are residential properties on the opposite side of Carlisle Road and to the west of the site. The Covan Burn is located approximately 30 metres to the east, beyond which are more residential properties.

2 Proposal(s)

- 2.1 The applicant seeks planning consent to erect a 14.8 metre telecoms structure incorporating a 10.3 metre high pole, three Vodaphone antennas and three O2 antennas with a shroud. The proposal also involves the installation of ground based equipment including one equipment cabinet and one meter cabinet.
- 2.2 The proposal is part of the strategic partnership between Vodaphone and O2 to share mobile assets in the U.K.
- 2.3 An ICNIRP compliant declaration and supporting statement has been submitted in respect of the proposal.

3 Background

3.1 Local Plan Status

- 3.1.1 In terms of the South Lanarkshire Local Plan the site is identified as being within a Residential Area (as defined by Policy RES6). Policy RES6 states that the Council will resist any development which will be detrimental to the amenity of those areas.
- 3.1.2 The South Lanarkshire Local Plan includes a specific policy on Telecommunications Development (Policy DM12). This policy states that the Council in assessing telecommunications proposals will require to minimise any adverse impact on the visual amenity, character and appearance of the surrounding area, minimise environmental and visual impact through exploration of a range of options and sets out the criteria which proposals relating to these sites must comply with. In addition individual proposals shall be sited and designed as sensitively as possible in order to minimise potential adverse cumulative impact.

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 is no planning history relating to the application site. However it should be noted that a planning appeal decision notice dated 26 November 2010 (reference PPA-380-2009) for a different proposed telecoms site within the residential area of Earnock Road, Hamilton is considered to be of relevance. The Reporter concluded in this case that the impacts on residential properties nearest the site from the proposed mast would be limited due to the combination of existing trees in the location and the juxtaposition of the houses. Furthermore the mast would house equipment for two operators, obviating the need for another mast to be located in this area in accordance with Scottish Planning Policy and Policy DM 12 of the South Lanarkshire Local Plan. On this basis the Reporter upheld the appellants appeal.

4 Consultation(s)

4.1 **Roads and Transportation Services** – No objections providing the proposed position of the cabinet does not obstruct pedestrian and wheelchair movement at any time, especially when the doors of the cabinets are open for maintenance works, when the minimum (temporary) width should be 1.2 metres. In addition the imposition of an advisory note relating to installation/maintenance works is recommended.

Response: - Noted. Roads and Transportation's requirements are achievable through the imposition of a planning condition to ensure that the cabinet doors are sliding nature or are capable of being opened fully i.e. 180 degrees or capable of being fully removed for the purposes of servicing to ensure that they don't open onto the public footway and obscure it.

4.2 **Environmental Services** – No objections subject to a standard condition relating to noise levels and standard informatives relating to noise and contamination.

Response:- Noted. It is considered that a planning condition would not be relevant or necessary in relation to noise given the nature of the proposal.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken in respect of the proposal and the application was advertised due to the non notification of neighbours. Twenty letters of representation were received together with one petition containing sixty four signatures.

5.2 The grounds of objection are summarised below:-

- (a) **The proposal will have an adverse impact on the visual amenity of the surrounding residential area. It will introduce a dominant feature into the streetscene due to its size and location and will not blend into the trees**

because they are in the Covalburn Area and not near the footpath. In addition the existing deciduous trees will provide no cover in winter.

Response: There is no doubt that a 14.8 metre mast will be seen however it is considered that the impact on residential properties nearest the site would be limited due to a combination of the existing trees to the north and the juxtaposition and distance of the houses with the site of the proposed mast. In addition the design of the mast is a slim monopole, which would not appear too incongruous in the context of the existing street furniture along Carlisle Road, albeit these are not as high. It is considered that masts of this design can become generally accepted features in the streetscene.

- (b) The site for the proposed installation is located in a conservation area and due to its size, location and colour, the proposal will detract from the environmental policies of the Conservation Area.**

Response: The proposed application site is located outwith the Conservation Area.

- (c) Proposal will have an adverse impact on pedestrian safety. It is located on a 2 metre wide public footway and pedestrian access will be blocked during maintenance and will add to the congestion of the street furniture within the public footpath which adjoins a major trunk road the A74. It will create a blind spot for Hamilton incoming vehicles increasing the risk of on-bend accidents and is a traffic hazard which will accentuate current problems.**

Response: Roads and Transportation Services have no objections to the proposal as detailed above in paragraph 4.1.

- (d) Original proposal at Avonbridge hotel to the west of the proposed site was rejected due to objections in the area. Accordingly the same objections would apply to this proposal and therefore an alternative should be sought.**

Response: Every planning application must be assessed on its own merit. According to the Council's records, no planning application has been refused for a telecoms mast at Avonbridge Hotel albeit there was a pre-application discussion in relation to this site. This identified that the Avonbridge hotel is located in a conservation area adjacent to a listed building.

- (e) Potential health risks to people in the surrounding residential area. Unsafe and should not be placed in a residential area or in the vicinity of the local nursery.**

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

- (f) Adverse impact on values of residential properties in the surrounding area.**

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.

- (g) A more acceptable and less visually intrusive location for the proposed mast could surely be found in the immediate area that would be more acceptable to the local community.**

Response: The applicant has investigated twenty seven alternative sites in the area, but with no success as detailed below in paragraph 6.3.

- (h) **Company has failed to consult with many of those living close by the proposed installation. Various issues are raised in association with the company which it is alleged cannot be trusted.**

Response: Neighbour notification was carried out by the Council in accordance with the statutory guidelines. In addition the application was advertised in the local press due to the fact that there were no premises on neighbouring land. On this basis it is considered that the correct notification procedures have been carried out.

- (i) **There is not a great need for such equipment within this area. Why is proposed site at low dip in the road when requirements appear to be for a higher location? The proposed siting at this location seems unnecessary.**

Response: The applicant has justified the requirement for the installation through the submission of a comprehensive network plan; indeed the demand for mobile communication/data exchange is increasing due to the greater use of mobile phones for internet connection or laptops with 'dongles'.

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 current proposal is for the erection of a monopole telecommunications mast and associated equipment adjacent to an area of open space at Carlisle Road, Hamilton.
- 6.2 The Town and Country Planning Act requires this application to be determined in accordance with the provisions of the development plan unless material planning considerations indicate otherwise. It is considered that given the scale of the proposal no structure plan policies are relevant therefore it is considered that the main determining issues with regard to this proposal are whether it accords with current government guidance on the siting and design of telecommunications masts, compliance with local plan policy and impact on road and pedestrian safety.
- 6.3 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.

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.

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 respect the existing street scene because there is existing street furniture and trees located within the general area.

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 twenty seven alternative sites that have been considered. Six of these sites would not provide the requisite level of coverage, one was discounted because of lease problems and twenty were discounted because it is considered that they would be more visually intrusive and have a higher impact for varying reasons. 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. Accordingly this proposal is considered to meet the criteria as no suitable alternative sites are readily available and the siting and external appearance of the apparatus is such that it should have minimal impact on amenity due to its design, location and backdrop of mature trees.

Furthermore the applicant has demonstrated the need for the development in accordance with a comprehensive network plan; indeed the demand for mobile communication/data exchange is increasing due to the greater use of mobile phones for internet connection or laptops with 'dongles'. In view of the above and especially the fact that the nearest residential property is approximately 18 metres away, it is considered that it has been satisfactorily demonstrated that a new mast at this location is the best solution. Paragraph 91 of PAN62 states that steps should be taken to conceal and disguise apparatus at visually sensitive locations such as public open space. Furthermore, paragraph 111 of PAN62 requires the operator to pursue the site which will create the least landscape impact. I am of the view that the applicant has selected a site which adheres to this advice because in identifying a location within the residential area where the coverage is required, the proposed site is located adjacent to various clusters of trees. In addition the impacts on residential properties nearest the site would be limited due to the combination of the existing trees to the north of the site and the juxtaposition and distance of the houses with the site of the proposed mast. Furthermore the design of the mast is a slim monopole, which would not appear too incongruous in the context of the existing street lights along Carlisle road and it would house equipment for two operators, obviating the need for another mast

- 6.4 In terms of South Lanarkshire's Local Plan the following policies are applicable. Policy RES6 – Residential Areas General and Policy DM12 – Telecommunications. Policy RES6 requires that the Council will resist any development which will be detrimental to the amenity of residential areas and will seek to maintain or improve the areas of open space within such areas. It is considered that the impact on residential properties nearest the site would be limited due to a combination of the existing trees to the north of the site and the juxtaposition of the houses with the site of the proposed mast. In addition the design of the mast is a slim monopole, which would not appear too incongruous in the context of the existing street lights along Carlisle road, albeit these are not as high. It is considered that masts of this design can become generally accepted features in the streetscene and therefore the proposal raises no issues in this regard.

- 6.5 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. The proposed location is a sensitive site because it is located in a residential area and the Council's approved Telecommunications Policy includes a strong presumption against telecommunications development within sensitive locations. It is recognised however that coverage is required within the residential area and that Scottish Planning Policy requires planning authorities to support the expansion of the electronic communications network. In this instance it is considered that the applicant has satisfactorily demonstrated that the application site is the most appropriate location and that no suitable alternatives exist, as detailed above in paragraph 6.3. Accordingly this proposal is considered to meet the criteria as no suitable alternative sites are readily available and the siting and external appearance of the apparatus is such that it should have minimal impact as detailed above in paragraph 6.4. Furthermore the mast would house equipment for two operators, obviating the need for another mast
- 6.6 With regard to the objectors' concerns detailed above in paragraph 5, it is considered that there have been no issues raised which would justify the refusal of the current proposals. The proposal is in accordance with local plan policy and would not be detrimental to the residential amenity of the area. In addition, in terms of road safety, Roads and Transportation Service have no objections.
- 6.7 The proposal satisfies the criteria set out within the Council approved policies and the Government's guidance on telecommunications development and I therefore recommend that planning permission be granted for this application.

7 Reasons for Decision

- 7.1 The proposal is 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 in accordance with Policy RES6 and Policy DM12 – Telecommunications of the adopted South Lanarkshire Local Plan. The proposal also raises no issues in terms of road safety.

Colin McDowall
Executive Director (Enterprise Resources)
31 January 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan
- ▶ Scottish Planning Policy
- ▶ Planning Advice Note 62
- ▶ Neighbour notification, dated 4 November 2010
- ▶ Press advert, dated 11 November 2010

► Consultations

Roads and Transportation Services (Hamilton Area)	21/01/2011
Environmental Services	10/01/2011

► Representations

Representation from :	J.D Porter and Mrs H. Hare, 16 Brigside Gardens,Hamilton,ML3 7BG, DATED 22/11/2010
Representation from :	C. Armstrong, 3 Laverock Avenue,Hamilton,ML3 7DD, DATED 24/11/2010
Representation from :	Stanley C Cook MRTPI, 12 Beveridge Terrace,Mossend,Bellshill,ML4 2RJ, DATED 10/11/2010
Representation from :	Henrietta S Melrose, 1 Laverock Avenue,Hamilton,ML3 7DD, DATED 09/11/2010
Representation from :	Henrietta S Melrose, 1 Laverock Avenue,Hamilton,ML3 7DD, DATED 09/11/2010
Representation from :	Alison Harvie, 14 Carlisle Road,Hamilton, DATED 10/11/2010
Representation from :	Mr and Mrs J Melrose, 1 Laverock Avenue,Hamilton,ML3, DATED 15/11/2010
Representation from :	Mabel and Christine Gray, 13 Wallace Place,Hamilton,, DATED 03/11/2010
Representation from :	Peter J Lavery, 4 Wallace Place ,Hamilton, DATED 03/11/2010
Representation from :	Mr J McEwan, 25 Laverock Avenue,Hamilton,ML3 7DD, DATED 03/11/2010
Representation from :	H Melrose, 1 Laverock Avenue,Hamilton,ML3 7DD, DATED 04/11/2010
Representation from :	Dorothy Dempsey, 5 Laverock Avenue,Hamilton,MI3 7DD, DATED 22/12/2010
Representation from :	Mr Peter and Mrs Lorena Calesso, 2 Wallace Place,Hamiton,MI3 7DE, DATED 03/11/2010
Representation from :	Morag Macgregor, Covanburn House,26 Carlisle Road,Barncluith,Hamilton,ML3 7DB, DATED 22/11/2010
Representation from :	Mr G Park, 17 Wallace Place,Hamilton,ML3 7DE, DATED 17/11/2010
Representation from :	Mrs M Park, 17 Wallace Place,Hamilton,ML3 7DE, DATED 17/11/2010

- Representation from : Mr S Park, 17 Wallace Place,Hamilton,ML3 7DE, DATED 17/11/2010
- Representation from : Elizabeth and Daniel Smith, 5 Old Avon Road,Hamilton,ML3 7BT, DATED 15/12/2010
- Representation from : James Hoggan, by email, DATED 03/11/2010
- Representation from : Mary Hoggan, 23 Wallace Place,Hamilton,ML3 7DE, DATED 03/11/2010
- Representation from : Cameron Adamson, 2 Laverock Avenue,Hamilton,ML3 7DD, DATED 15/11/2010

Contact for Further Information

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

Murray Reid, Planning Officer, Brandon Gate, Hamilton
Ext 3521 (Tel :01698 453521)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

Detailed Planning Application

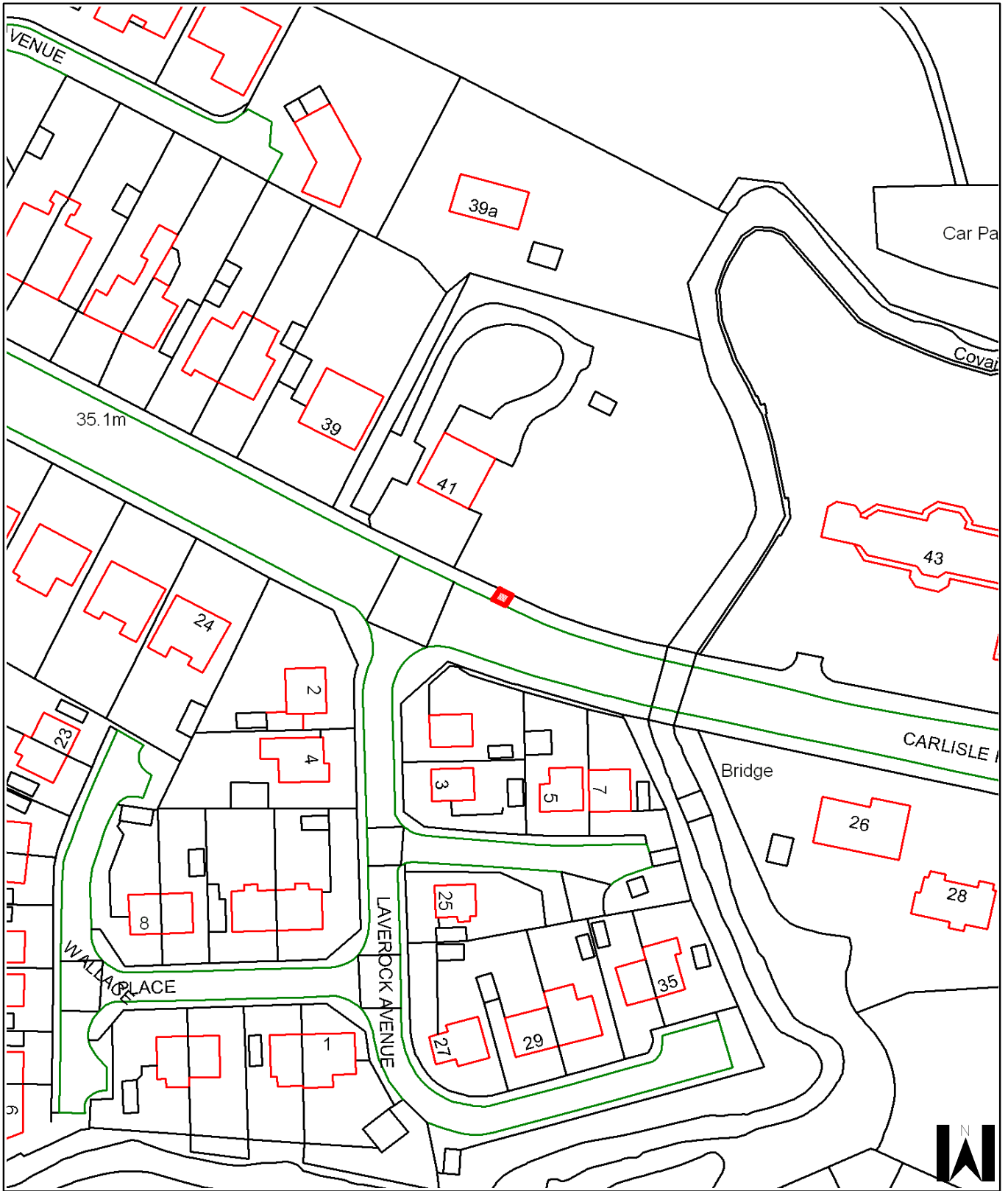
PAPER APART – APPLICATION NUMBER : HM/10/0538

CONDITIONS

- 1 This decision relates to drawing numbers:
100
200
300
- 2 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 6 months.
- 3 That the doors to the cabinets shall be of a sliding nature or be capable of being opened fully i.e 180 degrees or capable of being fully removed for the purposes of servicing.

REASONS

- 1) For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2) To minimise the level of visual intrusion, and ensure the reinstatement of the site to a satisfactory standard.
- 3) In the interest of public safety



For information only

For information only