

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>20 September 2011</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	EK/11/0231
Planning Proposal:	Erection of 14.8m Telecommunications Monopole and Associated Equipment Cabinet/Ancillary Development

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Vodafone /O2
- Location : Mossneuk Road  
East Kilbride  
G75 8XE

## 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 conditions attached).

### 2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: WFS Telecom Ltd
- ◆ Council Area/Ward: 09 East Kilbride West
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**  
ENV 1 - Priority Green Space Land Use Policy  
ENV 2 - Local Green Network Policy  
DM 1 - Development Management Policy  
DM 12 - Telecommunications Development Policy

- ◆ Representation(s):
  - ▶ 21 Objection Letters

- ◆ Consultation(s):

Roads and Transportation Services (East Kilbride Area)

## Planning Application Report

### 1 Application Site

- 1.1 The application site relates to an area of ground forming a grass verge to the carriageway on the north side of Mossneuk Road, East Kilbride. The application site is bounded by open green space to the north and west, open space and residential properties beyond to the south and by residential properties to the east. The site is approximately 55m north east of the junction with Mossneuk Drive/Forth Court.

### 2 Proposal

- 2.1 The applicant seeks detailed planning permission for the erection of a 14.8m high telecommunications monopole and associated equipment/ancillary development.

### 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 Policies ENV1 – Priority Green Space Land Use and ENV2 – Local Green Network which state that the Council will protect and support actions to enhance these areas.

- 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 to 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 – no objections.

**Response:** Noted.

#### 5 Representation(s)

5.1 Following statutory neighbour notification and advertisement in the East Kilbride News for non-notification of neighbours, twenty one letters of representation have been received for this application. The main points are as follows:

a) **The proposed location of the mast is a ‘sensitive’ site due to the close proximity of residential dwellings, public open space and recreational areas and should therefore not be supported.**

**Response:** The application site can be classed as a sensitive site, however this in itself does not preclude all telecommunications development. In this instance, it is regarded that adjacent trees provide an effective backdrop to aid concealment. The mast would also be on the opposite side of Mossneuk Road from residential properties.

b) **The proposal is close to a children’s play area, school and hospital and other more suitable sites should be sought. The park is used by children, dog walkers, cyclists etc and should not be a location for a telecommunications mast.**

**Response:** The mast is to be located on the road verge on the periphery of the park and in this regard it is not deemed to adversely impact on the amenity of the park. Supporting information has been submitted which discounts a number of nearby sites. The application has been assessed as the preferred site selected by the applicants.

c) **The proposal will impact on the residential and visual amenity of neighbouring properties due to its proximity to them. This will make it a less desirable area as people would not wish to live directly next to a mast and associated equipment. Residents will look directly onto this structure, which is not acceptable.**

**Response:** Although the mast is approximately 20m from the nearest dwelling, this is on the other side of the road and would not directly face the proposed mast. Some properties on Forth Court/Mossneuk Drive would face the mast directly; however it is regarded that 65 metres is an acceptable distance so as to not significantly impact on the residential and visual amenity of these dwellings. Mature trees also provide an element of screening between these properties and the proposal.

d) **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.

e) **Residents were not informed of the proposal and only found out through a letter from an elected member.**

**Response:** Neighbour notification was carried out by the Council in accordance with the statutory guidelines which state that all properties within 20m of the application site should be notified. In addition, the application was advertised in the East Kilbride News for non-neighbour notification due to an area of adjacent land being of unknown ownership to the Council.

- f) **The proposed location of the mast is an accident black spot and the proposal will impair the vision of road users and obstruct the path for pedestrians.**  
**Response:** Roads and Transportation Services raised no concerns in relation to pedestrian or vehicular visibility. It is noted that the proposal is not located on the footpath, rather the verge of the carriageway.
- g) **The mast will overshadow nearby housing.**  
**Response:** The proposed mast is slim line in nature and located 20m from the nearest dwelling and it is therefore regarded that overshadowing will not be an issue.
- h) **There is concern about the potential health risks to people in the surrounding residential area, particularly due to the proximity of a children's play area, school and hospital.**  
**Response:** With regard to health risks, government advice is that there is no evidence to support these concerns. Subject to compliance with ICNIRP Public Exposure Guidelines, the government has further advised that this is not a material planning consideration.
- i) **The junction of Firlee and Mossneuk Road routinely floods during the winter months and any installation either side of the junction would be at risk of water fouling.**  
**Response:** The siting of any telecommunications mast is at the operator's own risk. However, there is no reason to suspect that the siting of a mast would exacerbate any flooding problems.
- j) **It is regarded that the proposal will have a detrimental visual impact on the natural and built environment.**  
**Response:** It is felt that the mature trees to the rear of the proposed mast and equipment cabinet will provide an effective backdrop which will help to integrate the development with its surroundings. It is regarded that every effort has been made to minimise the impact of the proposal as far as operationally possible.
- k) **It is understood that masts under 15m in height do not require planning permission. The plan to install a mast a mere 20cm below this is a sly and devious method employed to ignore national and local planning law.**  
**Response:** All new proposals for a ground based telecommunications mast require planning permission no matter their height, with Regulations introduced in August 2001 stating this. The application has been assessed against the relevant national and local planning guidelines/policies.
- l) **Should the Council allow the proposal, it will become an existing structure and will make it extremely difficult for the Council to refuse, and for residents to object to, other telecommunications networks seeking permission to erect at the site and potentially increase the height of the mast.**  
**Response:** Each planning application is treated on its individual merit and any proposed increase in height would require a further planning application. The cumulative impact would be a consideration in assessment of any future application.

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 14.8m high telecommunications monopole and associated equipment/ancillary development.

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 respect the existing street scene as the trees in the surrounding area will provide an effective backdrop.
- 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 five alternative sites that have been considered. All of these were discounted due to their unsuitability, ranging from pavement width, unwilling site provider and density of residential area. 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 O2 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.
- 6.6 In terms of the South Lanarkshire Local Plan (adopted), Policies ENV1 – Priority Green Space Land Use, ENV2 – Local Green Network, DM1 – Development Management and DM12 – Telecommunications Development are applicable. Policies ENV1 and ENV2 state that the Council will protect and support actions to enhance these areas and not support the loss of such space for development. 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. Although the proposal is located within an area outlined as Priority Green Space and Local Green Network, it is regarded that the development is acceptable due to its location on the verge of the carriageway. It is also felt that the adjacent mature trees will aid its integration with the surrounding

area. The proposal is also regarded to be far enough away from the direct view of residential properties (approximately 65m) to not significantly impact on their residential amenity. In this regard, the proposal is 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. Although the application site is considered a 'sensitive site' due to being located within view of residential properties and adjacent to open recreational land, it is regarded that the distance from directly facing residential properties is sufficient to not significantly impact on the residential properties and that the backdrop of mature trees provide an effective screen, as outlined in paragraphs 6.5 and 6.6 above. The applicant has demonstrated that the site is the most appropriate location and that no suitable alternatives exist, as outlined in paragraph 6.5 above.
- 6.8 Whilst twenty one letters of representation have been received for this application, it is regarded that none of the issues raised would justify the refusal of the current proposal.
- 6.9 The proposal satisfies the criteria set out within Council approved policies and the Government's guidance on telecommunications development and I therefore recommend that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal is in accordance with government guidance on the siting and design of telecommunications apparatus as detailed with Scottish Planning Policy and Planning Advice Guidance Note 62 – Radio Telecommunications. In addition, the proposal is in accordance with Policies ENV1, ENV2 (due to the development being located on the carriageway verge), DM1 and DM12 of the South Lanarkshire Local Plan (adopted) and the guidance notes contained therein.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**2 September 2011**

## **Previous References**

- ◆ None

## **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Consultations
  - Roads and Transportation Services (East Kilbride Area) 01/08/2011
  
- ▶ Representations
  - Representation from : Dr Stuart Mitchell, 7 Firlee, Hairmyres, East Kilbride,  
DATED 08/08/2011

Representation from : Duncan Black, 3 Mossbank, Hairmyres, East Kilbride, G75 8SW, DATED 08/08/2011

Representation from : Anne Aitken, 4 Firlee, Hairmyres, East Kilbride, G74 5PQ, DATED 01/08/2011

Representation from : Mr Hugh and Mrs Roisin O'Hanlon, 13 Firlee, Hairmyres, East Kilbride, G75 8SZ, DATED 09/08/2011

Representation from : Alister King, 33 Fourth Court, Mossneuk, East Kilbride, DATED 28/07/2011

Representation from : William Service, 2 Firlee Hairmyres, East Kilbride, G75 8SL, DATED 28/07/2011

Representation from : Mrs Marion C Leslie, 10 Forth Grove, Mossneuk, East Kilbride, G75 8XF, DATED 04/08/2011

Representation from : Alyssa Brown, c/o email address, DATED 28/07/2011

Representation from : Mrs Kay McAdam, 1 Firlee, Hairmyres, East Kilbride , G75 8SZ, , DATED 29/07/2011

Representation from : Linda Munro, 11 Firlee, Hairmyres, East Kilbride, DATED 02/08/2011

Representation from : Audrey McNeil, 1 Mossbank, East Kilbride, G75 8SW, DATED 02/08/2011

Representation from : Benjamin Anderson, 5 Firlee, Hairmyres, East Kilbride, G75 8SZ, DATED 02/08/2011

Representation from : Tracy Oates, 10 Mossbank, East Kilbride, G75 8SW, DATED 02/08/2011

Representation from : Ms Mairi O'Connor, 3 Firlee, Hairmyres, East Kilbride, G75 8SZ, DATED 02/08/2011

Representation from : Michael Murison, by e-mail, DATED 03/08/2011

Representation from : Mr Hugh and Mrs Roisin O'Hanlon, 13 Firlee, Hairmyres, East Kilbride, G75 8SZ, DATED 11/08/2011

Representation from : Dennis & Eleanor Byrne, 14 Mossneuk Drive, East Kilbride, G75 8XQ, , DATED 04/08/2011

Representation from : Elizabeth Thomson, 10 Mossneuk Drive, Mossneuk, East Kilbride, G75 8XQ, DATED 04/08/2011

Representation from : Mary Ellen Galgani, , DATED 15/08/2011

Representation from : Margaret Boyle, 18 Forth Court, Mossneuk, East Kilbride, G75 8XE, DATED 10/08/2011

Representation from : Colin M Boyle, 18 Forth Court, Mossneuk, East Kilbride,  
G75 8XE, DATED 10/08/2011

**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: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)



## Detailed Planning Application

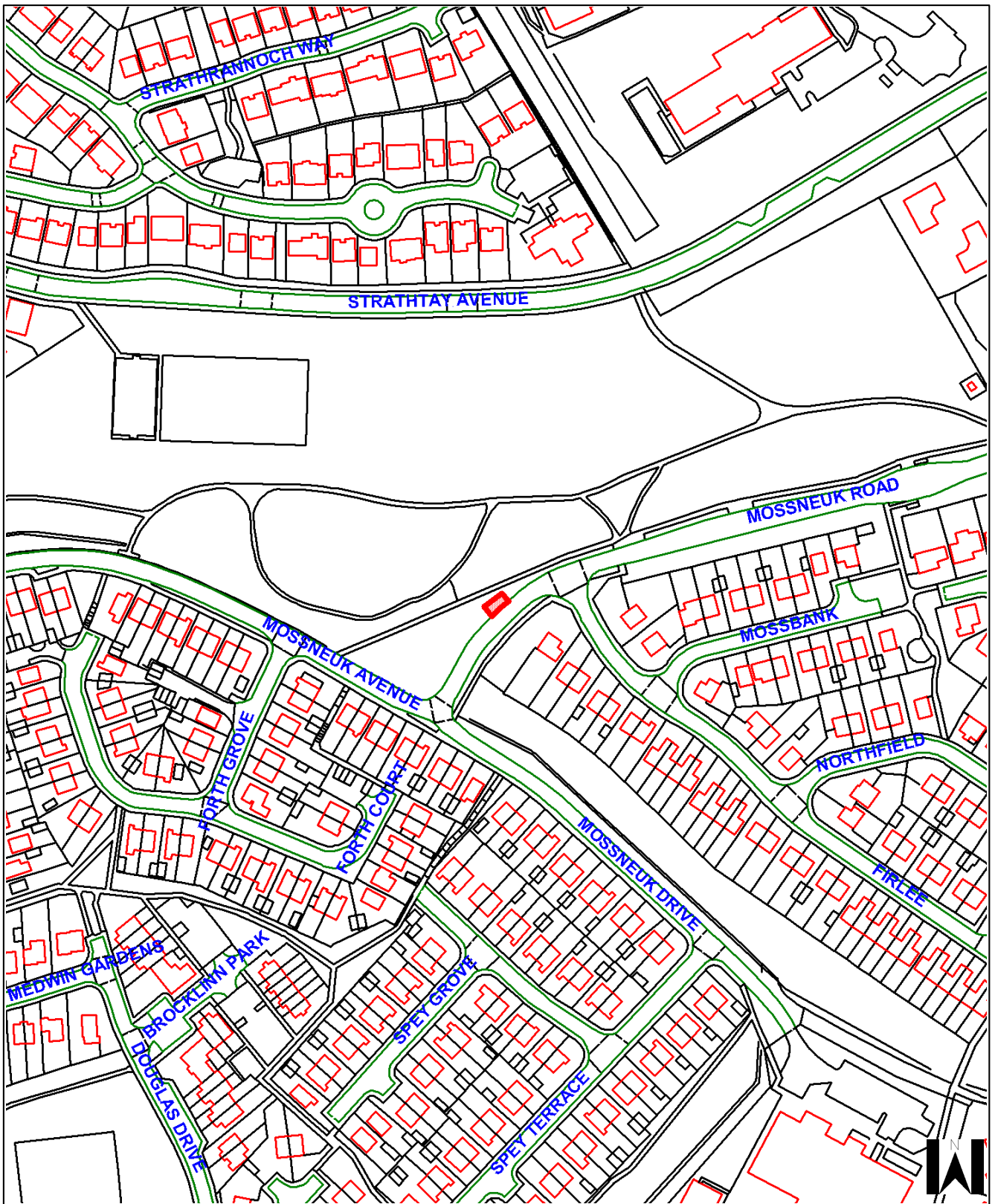
PAPER APART – APPLICATION NUMBER: EK/11/0231

### **CONDITIONS**

- 1 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.
- 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 2 months.
- 3 This decision relates to drawing numbers: 100 Issue: A, 200 Issue: A, 300 Issue: A and 400 Issue: A

### **REASONS**

- 1 In the interests of amenity and in order to retain effective planning control.
- 2 To minimise the level of visual intrusion, and ensure the reinstatement of the site to a satisfactory standard.
- 3 For the avoidance of doubt and to specify the drawings upon which the decision was made.



For information only

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