

Application No: S/06/01995/AMD

Date Registered: 4th December 2006

Applicant: T-Mobile (UK) Ltd
C/o Agent

Agent Stappard Howes
122 Dundyan Road
Coatbridge
ML5 1DE

Development: Relocation of 15 Metre High Telecommunications Flagpole and Associated Ground Based Equipment Approved under S/06/00965/FUL, to Alternative Site within Football Ground

Location: Shotts Bon Accord Football & Social Club
Baton Road
Shotts
ML7 4EY

Ward: 18 Dykehead Councillor James Robertson

Grid Reference: 286783 660549

File Reference: S/PL/B/17/41/FM/MM

Site History: S/00/00236/FUL - Erection of 24 Metre High Telecommunications Pylon Mast and Ancillary Equipment refused 21st June 2000 on grounds of impact on visual and residential amenity.

S/06/00965/FUL - Installation of a 15 Metre High Telecommunications Flagpole, 6 No. Antennae & 3 No. Equipment Cabins on land to the north of the football ground granted 5th July 2006.

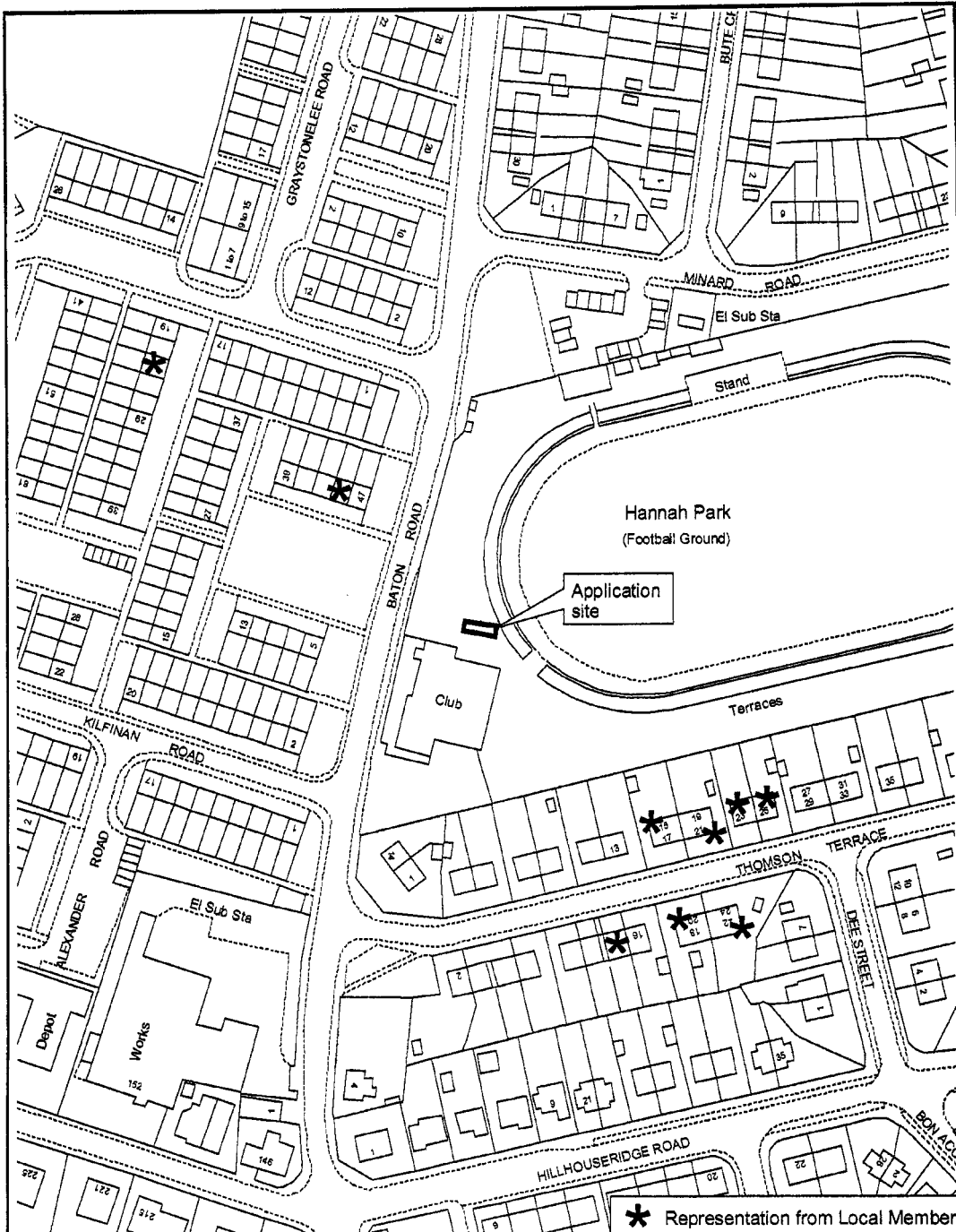
Development Plan: The site is covered by Policy L 1 (Established Leisure Facilities) in the Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005). Policy CS 6 (Telecommunications Development) is also relevant.

Contrary to Development Plan: No

Consultations: Shotts Community Council (No Response)
NLC Education Department (Objection)

Representations: 15 letters of representation received

Newspaper Advertisement: Not Required



* Representation from Local Member

North Lanarkshire Council
 Planning and Environment
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PLANNING APPLICATION No. S / 06 / 01996 / FUL
 INSTALLATION OF A 15 METRE HIGH TELECOMMUNICATIONS
 FLAGPOLE AND ASSOCIATED GROUND BASED EQUIPMENT.
 SHOTT'S BON ACCORD FOOTBALL AND SOCIAL CLUB,
 BATON ROAD, SHOTT'S.
 * Representation

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North
Lanarkshire
 Council

Recommendation: Grant Subject to the Following Conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That in the event the equipment becomes redundant, it must be wholly removed and the site reinstated within one month of becoming redundant.

Reason: To ensure reinstatement of the site to a satisfactory standard, in the interests of visual amenity.

3. That the telecommunications flagpole and attached equipment hereby approved shall be finished in white, and the associated ground cabinet in a grey colour.

Reason: In order to minimise the visual impact of the development.

Background Papers:

Application form and plans received 4th December 2006

Memo from NLC Education received 13th December 2006

Letter from Councillor Jim Robertson, PO Box 14, Civic Centre, Motherwell, ML1 1TW received 13th December 2006.

Letter from Ms Joanna E. B. Wilson, 20 Thomson Terrace, Shotts, received 20th November and 12th December 2006.

Letter from Mary & William Morrison, 21 Thomson Terrace, Shotts received 20th November and 12th December 2006.

Letter from C Adams, 15 Thomson Terrace, Shotts received 20th November and 13th December 2006.

Letter from James & June Paris, 16 Thomson Terrace, Shotts received 21st November and 13th December 2006.

Letter from Mrs C S Baird, 25 Thomson Terrace, Shotts received 21st November and 19th December 2006.

Letter from Mrs Irene Flockhart, 45 Baton Road, Shotts, ML7 4EY received 19th December 2006.

Letter from Ann Mollon, 22 Thomson Terrace, Shotts, received 20th November 2006.

Letter from Patricia Russell, 71 Burnside Crescent, Shotts received 19th December 2006.

Letters from David & Angela MacBeth, Thomson Terrace, Shotts received 22nd November and 11th December 2006.

Southern Area Local Plan, Finalised Draft (Modified 2001, 2004 and 2005).

PAN 62 - Radio Telecommunications, September 2001

NPPG 19 – Radio Telecommunications, July 2001

Any person wishing to inspect these documents should contact Mr Fraser Miller at 01698-302087.

9th January 2007

APPLICATION NO. S/06/01995/AMD

REPORT

1. Description of Site and Proposal

- 1.1 Planning permission is sought for the installation of a 15 metre high telecommunications flagpole incorporating 6 No. Antennae, and 3 associated equipment cabins, at Shotts Bon Accord Football Club, Baton Road, Dykehead, Shotts. The application site is located within the grounds of the football club, approximately 6.5 metres from the clubhouse. The football ground is enclosed by a 2 metre high brick wall and is located within an otherwise predominantly residential area. The nearest residential properties are located approximately 50 metres to the west of the application site. Furthermore, the nearest primary school is located approximately 500 metres to the southeast with the nearest childrens nursery being approximately 250 metres from the application site.
- 1.2 The applicant has provided the necessary ICNIRP Certificate confirming that the proposal complies with internationally recognised public health standards, as well as details of alternative site searches. Supplementary information submitted indicates that the proposed mast would be coloured white and associated equipment cabins would be grey.
- 1.3 The Committee should note that planning permission was granted at the Planning and Environment Committee of the 5th July 2006 for the installation of a 15 metre high telecommunications flagpole on the land to the north of the football pitch adjoining the stand within the grounds. The purpose of the current amendment application is to seek consent to relocate the telecommunications flag pole previously approved to the current application site within the football club grounds. The applicant has confirmed that this is to facilitate a future redevelopment application for part of the football club grounds.

2. Development Plan

- 2.1 The application raises no strategic issues in terms of the Structure Plan and can therefore be assessed in terms of local plan policies.
- 2.2 The site is covered by Policy L 1 (Established Leisure Facilities) in the Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005).
- 2.3 Policy CS 6 (Telecommunications Development) is also a material consideration in the determination of this application.

3. Consultations and Representations

- 3.1 NLC Education has objected to the application in that the proposed installation would be in the vicinity of schools. They state that the perception of the school community, however uninformed, is that the installation may represent a danger and as such, this may affect parental decision when choosing a school for their child to attend.
- 3.2 Shotts Community Council have been consulted in relation to the application and have made no response.
- 3.3 The Local Member, Councillor Jim Robertson has objected to the proposal on the grounds of the visual blight created by the re-siting of the 15 metre high mast and the closer proximity to the nursery on Shottskirk Road.

3.4 Following the neighbour notification procedures a total of 15 letters of representation of been received. It should be noted that of the 15 letters, 5 of the objectors have written in twice to object to the proposals. The objections can be summarised as follows:

1. Impact on visual amenity due to the height of mast being 15 metres, taller than anything around it and unsightly.
2. Possible adverse effects on public health and close proximity to residential areas.
3. Safety issues in relation to the equipment cabinets associated with the development.
4. De-valuing of property values.
5. Parking problems caused by the telecommunications installation.

4. Planning Assessment and Conclusions

4.1 In accordance with Section 25 of the Town and Country Planning (Scotland) Act, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

4.2 The proposal is in accordance with Policy L 1 (Established Leisure Facilities) in the Southern Area Local Plan Finalised Draft (Modified 2001, 2004 and 2005) in that it does not adversely affect the existing leisure facility. The main local plan policy relevant in the determination of this application is Policy CS 6 (Telecommunications Development) in the Southern Area Local Plan Finalised Draft. Policy CS6 states that the Council will adopt a precautionary approach to new telecommunications developments and will seek to locate them primarily in industrial and commercial areas which are not densely populated or contain sensitive uses such as residential areas, schools, nurseries or hospitals. The policy also states that applicants should demonstrate how the proposal fits into the wider network and make an ICNIRP declaration, stating that that the proposal is within acceptable safety limits in terms of non-ionising radiation.

4.3 The application site is located within the football ground, however it is located within a predominantly residential area. The nearest residential properties are located approximately 50 metres to the west of the application site and the nearest school is approximately 500 metres to the southeast. A telecommunications mast application was originally refused at this site on the grounds of the detrimental impact on visual and residential amenity and the perceived health risks from the proposed equipment. However, that mast was a pylon type and 24 metres in total height including antennae. Since that refusal in 2000, the Government has made it clear that health issues should not be a determining factor for a telecommunications planning application, provided the necessary ICNIRP Certificate of Conformity to EU guidelines has been submitted. Furthermore planning permission was granted for a flagpole mast identical to the current application, at a site adjacent to the stand, at the Planning and Environment Committee of the 5th July 2006. This current application seeks to amend that consent by relocating the flagpole installation and associated equipment cabinets 65 metres south adjacent to the clubhouse. In respect of the current application the height and design of the structure is as per the previously approved consent and will also appear as a flagpole structure. Given the backdrop of the existing floodlights and the football clubhouse, it is considered that the proposed flagpole will not adversely affect the visual amenity of the surrounding area. Distances of 50 metres to the nearest housing and 500 metres to the nearest primary school will be the same as those for the recent approval, although the mast would be 250 metres as opposed to 300 metres from a nursery in Shottskirk Road. While the upper portion of the mast will be visible, the mast will be partially screened at ground level by the existing boundary wall and clubhouse. The applicant has submitted information regarding alternative sites considered in order to provide the required network coverage to this part of Shotts. I am satisfied in this instance that the best location and design solution to minimise visual impact has been proposed and that the proposal will have an acceptable and equivalent impact to that already approved under planning permission S/06/00965/FUL. It is therefore considered that the proposed mast complies with the Policy CS 6.

- 4.4 In accordance with NPPG 19 Telecommunications, the applicant has submitted supporting information relating to the current proposal. This information includes details of eight alternative sites within the applicant's target search area. The sites were discounted due to visual impact, practical site installation and network coverage. There are no existing sites within the search area for possible site sharing. The applicant has sited the proposed mast as far away as possible from the neighbouring residential properties and opted for a design to minimise visual impact. The proposal is therefore complies with the guidance contained in NPPG 19.
- 4.5 In terms of the design and visual impact of the proposed monopole, it is considered that the installation will not adversely affect the character and amenity of the surrounding area. PAN 62 Telecommunications states that new ground based masts should be sufficiently screened. As stated at paragraph 4.3 above, a 2 metre high brick wall and the adjacent clubhouse will partially screen the mast at ground level. While the mast will be visible when viewed from Baton Road, it will appear as a flagpole and will be in keeping with the existing leisure use at the football club. It is therefore considered that there will not be a significant level of visual intrusion and as such, the proposal is in accordance with the advice given in PAN 62.
- 4.6 In terms of the objection received from NLC Education, the proposed installation is located 500 metres from the nearest primary school. Whilst appreciating that there may be public concern of the health risks associated with telecommunications apparatus, the applicant has satisfied the requirements by submitting the ICNIRP Declaration.
- 4.7 In terms of the points of objection raised by objectors, I would comment as follows:
- a) In relation to the telecommunication installation being located nearer to the children's nursery than the previous application it is considered that the distance of 250 metres as opposed to the 300 metre distance for the location previously approved, is insufficient grounds alone to warrant the refusal of this application, given that the ICNIRP Certificate of Conformity to EU guidelines has been submitted.
 - b) As stated at paragraph 4.3, the proposed flagpole will be located within a predominantly residential area. However it is considered that the flagpole design and detailed siting proposal complies with the criteria contained within both Policy CS 6 of the Local Plan and government guidance and advice, and that the visual impact will be acceptable.
 - c) The applicant has submitted the required ICNIRP Certificate, which states that the proposed telecommunications equipment complies with the recognised emission levels. In these circumstances, this should not be a material planning consideration in the determination of this application.
 - d) In response to the concerns raised in relation to the concerns over the safety of the associated equipment cabinets, I can confirm that the cabinets meet are to meet the relevant guidelines associated with such installations and that under government guidance this should not be a material consideration.
 - e) I can advise that the potential de-valuing of property values does not constitute a material consideration in the assessment of this application.
 - f) In relation to the objector's concerns in relation to parking, I can advise that the location for the proposed telecommunications installation is located to the northern side of the clubhouse and will not adversely affect the parking opportunities within the complex.
- 4.8 In conclusion, the proposed telecommunications equipment has satisfactorily addressed all relevant local and national planning policy issues. Given the proposed design of the telecommunications structure and the operator's network requirements, it is considered that the proposal complies with the criteria contained within Policy CS 6. It is accepted that the upper portion of the mast will be visible above the existing boundary wall. However this is considered to be a minimal impact and this location is the most appropriate site within the search area. Furthermore the existing consent for an identical mast granted for a site slightly further north within the football club grounds is a strong material consideration. It is therefore recommended that planning permission be granted subject to the proposed conditions.