

FALKIRK COUNCIL

Subject: ERECTION OF TELECOMS STREETWORKS TOWER AT
SCOTTISH FIRE AND RESCUE, MAIN ROAD, MADDISTON,
FALKIRK, FK2 0LG FOR EVERYTHING EVERYWHERE –
P/15/0266/FUL

Meeting: PLANNING COMMITTEE

Date: 1 February 2016

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Upper Braes

Councillor Gordon Hughes
Councillor John McLuckie
Councillor Rosie Murray

Community Council: Maddiston

Case Officer: Kevin Brown, (Planning Officer) Ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This full application proposes the erection of a 14.7 metre high monopole style mobile phone mast and associated equipment cabinets on an existing footway at Main Road, Maddiston.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.2 This application has been called to the Planning Committee by Councillor Rosie Murray and Councillor Gordon Hughes.

3. SITE HISTORY

- 3.1 The application site has no relevant planning history. However it is worth noting that the proposed mast is intended as a replacement for a long established existing 27m high lattice tower mast located some 80m to the south of the site on land currently owned by Scottish Fire and Rescue. Scottish Fire and Rescue have indicated to the mast operator that they no longer wish a mast to be located on their land. The operator therefore needs to seek a new location to maintain mobile phone coverage at this area.

4. CONSULTATIONS

- 4.1 The Environmental Protection Unit has no objection to the proposed development.
- 4.2 The Roads Development Unit has no objection to the proposed development.

5. COMMUNITY COUNCIL

- 5.1 Maddiston Community Council have objected to the proposals on the grounds that the mast would be a distraction to drivers and would have adverse visual impacts. The Community Council have also suggested that there are a number of alternative locations within the village where a mast would be more appropriately sited.

6. PUBLIC REPRESENTATION

- 6.1 In addition to the Community Council comments summarised in paragraph 5.1, 25 further letters of objection have been received from 20 individuals in 11 separate households. Points of objection raised relate to the following:-

- Visual impact
- Property values
- Obstruction on pavement.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

- 7a.1 The Falkirk Local Development Plan (FLDP) was adopted on 16 July 2015. The proposed development was assessed against the following policy:

- 7a.2 Policy INF13 – ‘Telecommunications Development’ states:

1. *When proposing installation and siting of any new telecommunications equipment, operators will require to provide evidence that consideration has been given to siting and design options and that the site selected will make less impact on the community and the environment than any other available sites that are technically suitable for transmissions, including existing sites already in operation or holding permissions;*
2. *Operators will be required to minimise the visual impact of proposed installations. This can be achieved through the installation of small scale equipment, concealing or disguising equipment, mast sharing, site sharing or installing on existing buildings or other structures where appropriate;*
3. *The siting of equipment in: ecological or archaeological sites; in areas that are not specifically designated for ecological features, but which are important in supporting the qualifying features of Natura 2000 sites; in conservation areas; or on listed buildings will not be permitted unless it can be demonstrated that all other options have been exhausted and the terms of Policy GN03(1) in relation to Natura 2000 sites have been met.*

- 7a.3 The applicant has provided evidence that consideration has been given to alternative siting and design options. On the basis that the proposed mast is a replacement of a nearby mast, the available search area for the replacement mast is restricted. The topography of the surrounding land and land ownership restrictions have also severely limited the search for suitable sites which would meet the coverage requirement. The proposed design solution is considered the best available and negates the need for a second mast to be erected in the area to fill any gaps in coverage. The proposed mast is also an improvement visually over the existing 27m high lattice tower mast which it would replace. The proposal accords with the terms of Policy INF13, 'Telecommunications Development'.
- 7a.4 Accordingly, the proposed development is considered to accord with the Development Plan.

7b Material Considerations

- 7b.1 The material considerations relevant to this application assessment are the representations received and National Policy and Guidance.

Representations Received

- 7b.2 Concerns in respect of the visual impact of the mast are noted. However, given the restricted search area and the lack of available alternative sites it is considered unavoidable that the coverage solutions would be visible from some residential properties. The monopole nature of the proposed mast is considered appropriate for an on street location such as this where lighting columns are commonplace. The proposed design solution represents a distinct improvement over the current 27 metre high lattice tower mast which it would replace.
- 7b.3 Property values are not a material planning consideration.
- 7b.4 The Roads Development Unit has assessed the proposal and has not raised any concern in respect of road or pedestrian safety. The footway in this location is 6.5 metre wide and development of the mast and associated cabinets would narrow this by 1.2 metres at most, leaving a footway of at least 5 metres in width. This width is considered more than sufficient to accommodate pedestrians and any maintenance crew for the mast or cabinets without causing obstruction.

National Planning Policy and Guidance

- 7b.5 Scottish Government Planning Advice Note: PAN 62, 'Radio Telecommunications' reinforces the importance of securing world class telecommunications services for Scotland while safeguarding the natural and built environment, and provides advice on the process of site selection and design. This document explains the difficulties encountered when trying to minimise gaps in coverage and lends weight to the argument that the location and scale of the mast proposed is the best available solution in order to provide coverage and negate the need for further mast installations in the area. The site selection and design process undertaken by the applicant has been carried out in accordance with the guidance contained within PAN62 and it is considered that the design solution currently being pursued is the best available fit to meet the coverage requirement in this area.

7c Conclusion

- 7c.1 The proposed development accords with the Falkirk Local Development Plan and National Guidance. It is considered there are no material planning considerations that would warrant a refusal of planning permission in this instance.

8. RECOMMENDATION

8.1 It is therefore recommended that the Committee grant planning permission subject to the following condition(s):-

1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
2. In the event that the development hereby approved ceases to be used for the purpose for which it was designed, the operator shall inform the planning authority, and the communications mast and related apparatus shall be removed from the site. Within 2 months of the date on which the use ceases, the site shall be reinstated to a condition agreed with the planning authority.

Reason(s):-

1. As these drawings and details constitute the approved development.
2. To ensure the removal of redundant telecommunications installations.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02, 03, 04.
2. In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.
3. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.

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pp Director of Development Services

Date: 20 January 2016

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan.
2. National Planning Policy: PAN62 Radio Telecommunications.
3. Objection received from Mrs Mhairi Marshall, 1 Park End Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 19 May 2015.
4. Objection received from Mrs Jacqueline McDevitt, Maddiston Community Council, Magdalene, Vellore Road, Maddiston, FK2 0NQ on 1 June 2015.
5. Objection received from Mr Angus MacDonald, 2 York Arcade, Grangemouth, FK3 8BA on 30 June 2015.
6. Objection received from L Allan, Parkside Cottage, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
7. Objection received from Mr Gary Marshall, 1 Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
8. Objection received from Elizabeth Ashe, 2 Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
9. Objection received from S Stent, 3 Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
10. Objection received from Janice Allison, Davmar, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
11. Objection received from Mr James Ashe, 2 Parkend Cottages, Main Road , Maddiston, Falkirk, FK2 0LH on 18 May 2015.
12. Objection received from Mhairi Marshall, No 1, Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 25 May 2015.
13. Objection received from Mr William Allison, Davmar Cottage, Maddiston, Falkirk, FK2 0LH on 13 May 2015.
14. Further objection received from Mr William Allison, Davmar Cottage, Maddiston, Falkirk, FK2 0LH on 13 May 2015.
15. Objection received from Mrs Nicola Stainthorpe, 6 Seaview Terrace, Maddiston, Falkirk, FK2 0NQ on 30 May 2015.
16. Objection received from Owner/Occupier, Hillview, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
17. Objection received from Stent G, 3 Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
18. Objection received from Ruby Marshall, 1 Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
19. Objection received from M Allan, Parkside Cottage, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
20. Objection received from Elizabeth Shorts, Graemeville, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
21. Objection received from Mr Andrew Marshall, Dunvagan, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
22. Objection received from Wilma C Marshall, Dunvagan, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
23. Objection received from S Marshall, Dunvagan, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
24. Objection received from Katie Marshall, Dunvagan, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
25. Objection received from Mhairi Marshall, No 1, Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.
26. Objection received from James Ashe, 2 Parkend Cottages, Main Road, Maddiston, Falkirk, FK2 0LH on 29 May 2015.

27. Objection received on 29 May 2015 with no address given.
28. Objection received on 29 May 2015 with no address given.

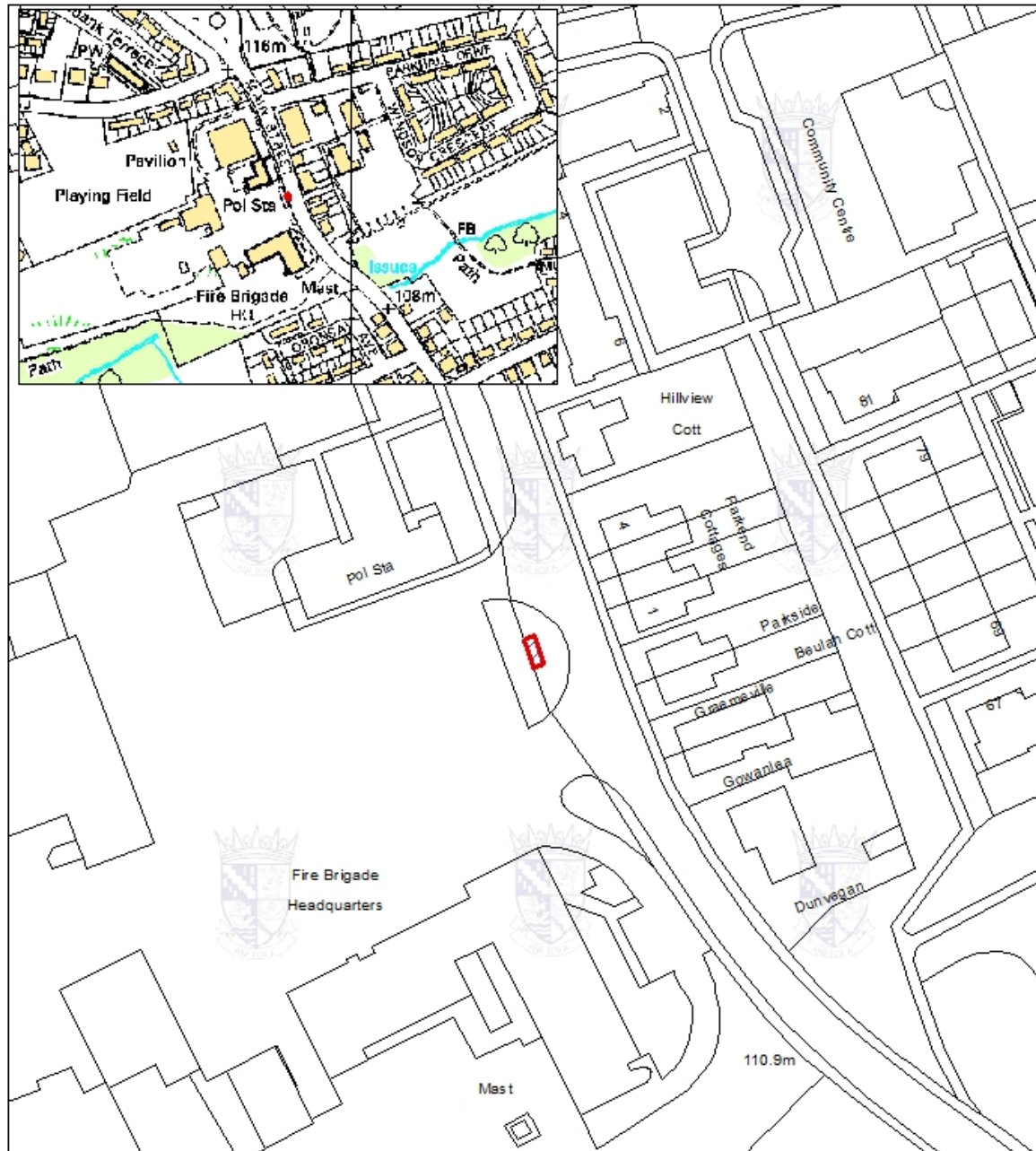
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

Planning Committee

Planning Application Location Plan

P/15/0266/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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