

FALKIRK COUNCIL

Subject: INSTALLATION OF A 15M SMART METERING COMMUNICATIONS MAST WITH ANCILLARY EQUIPMENT. AT SITE TO THE SOUTH EAST OF STANDRIGG, CALIFORNIA, FOR HARLEQUIN GROUP - P/14/0437/FUL

Meeting: PLANNING COMMITTEE

Date: 29 October 2014

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Upper Braes

Councillor Gordon Hughes
Councillor John McLuckie
Councillor Rosie Murray

Community Council: Shieldhill and California

Case Officer: John Milne (Senior Planning Officer), Ext. 4815

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application seeks to secure the installation of a 15.0m high lattice mast and two meter cabinets within a small compound, bounded by a 2.1m high chainlink fence. Vehicular / construction access is to be taken from a track formed midway between Glenrigg Farm and Glenhead Farm.
- 1.2 The proposal is for the installation of electronic communications apparatus that forms part of a Smart Metering network, promoted by the Department of Energy and Climate Change. Smart Meters are the next generation of gas and electricity meters, offering a range of intelligent functions and providing consumers with more accurate information, bringing an end to estimated billing. It is envisaged that consumers will have real-time information on their energy consumption to help control and manage their energy use, save money and reduce emissions.
- 1.3 The applicant advises that Smart Metering is a Government programme to roll out, between 2014 and 2020, smart electricity and gas meters to homes and small businesses across Great Britain. The Smart meter initiative is a key part of the Government's programme to cut greenhouse gas emissions, decarbonise the economy and support the creation of new green jobs and technologies.
- 1.4 The Smart Meter programme, like all electric communications networks, will need to be supported by an infrastructure of operational sites with the required antennas and other apparatus needed to provide radio coverage to the local area. As the Smart Meter network must be able to communicate with meters that are typically found in the heart of a property, the sites must be developed in locations that can provide the required level of coverage.

- 1.5 In accordance with best practice site sharing, utilization of existing buildings and structures has been explored by the applicant. In this case, it has not been possible to share an existing electronic communications site or install antennas on a tall building or structure. Hence, the approach to develop a new ground based mast facility.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application was called to Committee by Councillor Gordon Hughes

3. SITE HISTORY

- 3.1 There is no relevant site history.

4. CONSULTATIONS

- 4.1 Ofcom replied that no microwave links were found in the area.
- 4.2 Falkirk Council's Roads Development Unit advises that the proposed access has good visibility and is considered acceptable. A Minor Roadworks consent may be required for the site.
- 4.3 The Ministry of Defence has no safeguarding objections to the proposal.
- 4.4 Falkirk Council's Environmental Protection Unit advises that noise need not be considered as a determining factor, although in the event of unexpected contamination being encountered, all works shall cease.
- 4.5 Edinburgh Airport have raised no objection to the proposal.
- 4.6 Glasgow Airport have raised no objection to the proposal.

5. COMMUNITY COUNCIL

- 5.1 Shieldhill and California Community Council have not made any comment.

6. PUBLIC REPRESENTATION

- 6.1 Three letter of objection have been received from 2 individuals residing at one property. These objections are summarised as follows:
- The mast may have detrimental health impacts on individuals;
 - Adverse visual impact;
 - Access problems as site access is opposite a field gate which may be in use;
 - There is a wind turbine located within close proximity and the addition of the mast would have an adverse effect on property value.

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

Falkirk Council Structure Plan

7a.1 Policy ENV.1 ‘Countryside and Protected Areas’ states:

- “(1) There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.*
- (2) The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans.”*

7a.2 In this instance, the mast will provide additional electronic coverage to properties on the Smart Meter system and the location has been rationalised by the applicant as being 'best for purpose'. Additional information as to the reasoning behind this site identification has been submitted in support of the proposal.

Falkirk Council Local Plan

7a.3 Policy ST13 - ‘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 or 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 by minimising the contrast between such equipment and its surroundings. 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 on listed buildings or in conservation areas will not be permitted unless it can be demonstrated that all other options have been exhausted; and*
- (4) Applications to site telecommunications installations on school properties or adjacent to schools will not be permitted where the zone where the concentration of radio waves is higher than elsewhere (‘the beam of greatest intensity’ as referred to by the IEGMP) would fall on any part of the school’s grounds. In such cases the term “school” will include secondary, primary, nursery schools, nurseries and schools for children with special educational needs.”*

7a.4 The applicant has provided supporting information explaining the reasoning behind the identification of the site as being 'best for purpose' as well as providing details of the special technical and operational requirements of the proposal. The siting and design of the proposal has been designed to minimise appearance and to ameliorate potential visual impact.

7a.5 Policy EQ19 - 'Countryside' states:

“(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:

- *it can be demonstrated that they require a countryside location;*
- *they constitute appropriate infill development; or*
- *they utilise suitable existing buildings.*

(2) In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:

- *the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
- *building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council's 'Design Guide for Buildings in the Rural Areas'; and*
- *boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7a.6 The applicant has demonstrated a search evaluation through which this site has been preferred. The site, being within a rural location, is considered appropriate given the nature of the apparatus and geographical area which it is to serve.

7a.7 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the content of Scottish Planning Policy, the policies within the emerging Falkirk Local Development Plan and the points raised through comment.

Falkirk Local Development Plan (Proposed Plan)

7b.2 The Proposed Falkirk Local Development Plan (FLDP) was approved by the Council for consultation in March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in early 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan policy and constitutes a material consideration in the determination of planning applications.

7b.3 Policy CG01 - 'Countryside' states:

"The Urban and Village Limits defined on the Proposals Map represent the limit to the expansion of settlements. Land outwith these boundaries is designated as countryside, within which development will be assessed in the terms of the relevant supporting countryside policies (Policies CG03 and CG04), and Supplementary Guidance SG01 'Development in the Countryside'."

Similar to Policy EQ19 – Countryside – Within the Falkirk Local Plan, the proposal is not considered to offend this policy based on the level and detail of supporting information submitted by the applicant

7b.4 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.*

7b.5 Evidence has been submitted in the form of search criteria, sites previously discounted and visual assessment to demonstrate the appropriateness of the site.

7b.6 Policy GN02 - 'Landscape' states:

1. *The Council will seek to protect and enhance landscape character and quality throughout the Council area in accordance with Supplementary Guidance SG09 'Landscape Character and Assessment'.*
2. *Priority will be given to safeguarding the distinctive landscape quality of the Areas of Great Landscape Character identified on the Proposals Map.*
3. *Development proposals which are likely to have a significant landscape impact must be accompanied by a landscape and visual assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit will be achieved."*

7b.7 A landscape assessment has been submitted and the visual impact of the tower considered in detail. Given the variation of visual elements in the area, the introduction of the proposed mast is considered acceptable.

Scottish Planning Policy

7b.8 Scottish Government aims to meet its target of reducing emissions by at least 80% on 1990 levels by 2050 as set down within the Climate Change (Scotland) Act 2009. This is relevant to the statutory duty placed upon local planning authorities. This is reflected through Scottish Planning Policy, in particular:

“156. Strategic development plans should support national priorities for the conservation or improvement of strategic energy, infrastructure, including generation, storage, transmission and distribution networks. They should address cross-boundary issues, promoting an approach to electricity and heat that supports the transition to a low carbon economy”.

In this instance, the introduction of wireless technology to monitor fuel consumption is considered to complement this approach.

Comment on Objections Received

7b.9 The proposed antennas comply with all relevant health and safety requirements, in accordance with guidelines issued by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). A declaration of conformity with ICNIRP public exposure guidelines certificate has been submitted with the application.

7b.10 The new mast would be positioned in a field, bordered by an existing 2m high hedgerow. An existing tree line would obscure the site from an eastern direction and it is considered that the 'open lattice' form of structure would reduce visual impact from longer view points. However, at 15.0m high, the structure would be visible to a varying degree.

7b.11 The works installing the mast would be temporary, with only occasional maintenance vehicles visiting the site. No degree of permanent traffic conflict is envisaged.

7b.12 The existing wind turbine is some distance from the site. The proposal is not considered to contribute to visual clutter in the area, given the variety of buildings and landscape features in the surrounding area.

7c Conclusion

7c.1 The applicant has submitted sufficient justification in support of the installation being within the rural setting, as well as explaining the purpose and function of the apparatus. There are no health issues arising as a consequence of the proposal and the visual setting of the apparatus is considered acceptable and in accordance with the Development Plan. No traffic conflict during or after completion of the project is envisaged.

8. RECOMMENDATION

8.1 It is recommended that the Planning Committee grant planning permission subject to the following planning conditions:-

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.
3. If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.

Reason(s):-

1. As these drawings and details constitute the approved development.
2. To ensure the removal of redundant telecommunications installations.
3. To ensure the ground is suitable for the proposed development.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 1,2,3,4,5.
2. The Roads Manager within Development Services should be contacted to obtain a Minor Roadworks Consent before forming a vehicular access onto the public road or undertaking any work on, or under, the public road.
3. Falkirk Council have determined the application on the basis of available information relating to ground contamination/landfill gas. The responsibility for the safe development and secure occupancy of the site remains with the applicant/developer.



Pp

.....
Director of Development Services

Date: 20 October 2014

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Council Local Development Plan.
4. Scottish Planning Policy.
5. Letter of objection received from Mrs Morag Buchanan Glenrigg Farm California Road Falkirk FK1 2DG on 2 August 2014.
6. Letter of objection received from Mr James Buchanan Glenrigg Farm California Road Falkirk FK1 2DG on 3 August 2014.
7. Letter of objection received from Mrs Morag Buchanan Glenrigg Farm California Road Falkirk FK1 2DG on 27 August 2014.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504815 and ask for John Milne, Senior Planning Officer.

Planning Committee

Planning Application Location Plan P/14/0437/FUL

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



Reproduced by permission of Ordnance Survey on behalf of HM SO.
© Crown copyright and database right 2014. All rights reserved.
Ordnance Survey Licence number 100023384