

**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:** 24 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

**UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT**

1. Members will recall that this application was originally considered by the Planning Committee on 1 February 2016 (copy of previous report appended - Appendix 1), when it was agreed to continue the application for a site visit. This site visit took place on Monday 8 February 2016.
2. Following a summary of the proposal by the case officer, a number of local residents took the opportunity to address the Committee and reiterate their points of objection. The main focus of the concerns raised related to the visual impact of the proposal as well as the perceived lack of alternative siting options considered by the applicants. This aspect was also commented upon by a number of Members of the Planning Committee and requests were made for the applicant to provide additional information on the sites considered and discounted as well as comments on three additional sites put forward by the residents. The application has responded to these additional sites as follows:
  - 1) Locate mast upon the roundabout to the north of the application site
    - The applicants state that they do not use roundabout sites due to the dangers associated with maintenance and construction along with the potential to impact drivers' visibility.
  - 2) Locate the mast within the grounds of Maddiston Primary School
    - Locating within school grounds is against the applicants' policies.
  - 3) Locate the mast within Valley Park
    - Locating within public parks is against the applicants' policies.

In respect of additional information and reasoning for the previously discounted sites, the applicant has advised that there is nothing further that they can add to what they have previously provided. With this in mind a map has been circulated to Members showing the location of each of the previously considered sites. Members will note that the applicant has annotated the attached plan (Appendix 2) to remove the second reference to option F which was input in error. The reason for these sites being discounted are as follows:

Option A -	Fire Brigade HQ -	Landowner unwilling.
Option B -	Police Station -	Likely to be redeveloped and as a result the landowner was unwilling.
Option C -	Maddiston Primary -	Against School's Policy.
Option D -	Parkhall Drive -	Residential on both sides of street.
Option E -	California Road -	As above.
Option F -	Simpson Drive -	As above.
Option G -	Oronsay Avenue -	As above.

3. It is considered that no new matters have emerged from the site visit that would alter the officer recommendation to grant planning permission. The previous recommendation is reiterated as follows:

#### 4. **RECOMMENDATION**

- 4.1 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: 15 February 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.
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Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

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**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.
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Date: 20 January 2016



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