

FALKIRK COUNCIL

Subject: ERECTION OF 14.2M HIGH MONOPOLE TELECOMMUNICATIONS MAST WITH 1 NO. 300MM TRANSMISSION DISH, EQUIPMENT CABINETS AND ANCILLARY WORKS, SITE TO THE WEST OF 71 BRECHIN DRIVE, GILSTON CRESCENT, POLMONT, FALKIRK FOR VODAFONE - P/08/0657/FUL

Meeting: PLANNING COMMITTEE

Date: 25 March 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: Kevin Brown (ext. 4701)

UPDATE REPORT FOLLOWING CONTINUATION

1. Members will recall this application has been considered by the Regulatory Committee on 03 December 2008, on site on 18 December 2008, at Regulatory Committee on 28 January 2009, on site on 10 February 2009 and at Regulatory Committee on 25 February 2009 (a copy of the previous report is appended).
2. The application was further continued by this Committee on 25 February 2009 to allow the applicant time to submit additional information in regard to cumulative emissions figures. The applicant has advised that following consideration of the request by Committee for additional information, they have decided not to provide any further emissions details as they are not considered to be material planning considerations in the assessment of the application.
3. As indicated in the previous reports relating to this application and similar mast applications in the past, emissions are not held as material planning considerations. This view is supported by National Planning Policy and Guidance and has been supplemented by recent appeal decisions where refusal of mast applications on these grounds have been upheld.

4. RECOMMENDATION

4.1 It is recommended that detailed planning permission be granted subject to the following conditions:-

- (1) The development to which this permission relates must be begun within 5 years of the date of this permission.**

- (2) In the event that any of the equipment hereby approved, or installed subsequently, including the monopole structure, becomes obsolete or redundant it shall be removed not later than 6 months from the point that it becomes obsolete or redundant

Reason(s):

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To minimise the impact on visual amenity

Informative(s):

- (1) Should any made ground or suspect material be encountered during any site works, the Planning Applicant shall inform the Planning Authority immediately, as there will be a requirement for the Planning Applicant to undertake an appropriate environmental risk assessment in relation to contaminated land issues. The environmental risk assessment should be undertaken in accordance with current legislation and guidance and would be subject to review and approval by the Planning Authority. Where contamination is identified, development shall not begin until a scheme has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
 1. The nature, extent and type (s) of contamination within the site.
 2. Measures to treat/remove contamination to ensure the site is fit for the proposed end-use.
 3. Measures to deal with contamination during construction works.
 4. Condition of the site on completion of decontamination measures.
 5. Details of monitoring programme following site redemption.

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For Director of Development Services

Date: 17 March 2009

LIST OF BACKGROUND PAPERS

1. Polmont Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version).
3. NPPG 19 "Radio Telecommunications".
4. PAN 62 "Radio Telecommunications".
5. Petition containing 80 signatories.

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

FALKIRK COUNCIL

Subject: ERECTION OF 14.2M HIGH MONOPOLE TELECOMMUNICATIONS MAST WITH 1 NO. 300MM TRANSMISSION DISH, EQUIPMENT CABINETS AND ANCILLARY WORKS, SITE TO THE WEST OF 71 BRECHIN DRIVE, GILSTON CRESCENT, POLMONT, FALKIRK FOR VODAFONE - P/08/0657/FUL

Meeting: PLANNING COMMITTEE

Date: 25 February 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: Kevin Brown (ext. 4701)

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall this application was originally considered at the meeting of the Regulatory Committee on 3 December 2008, on site on 18 December 2008 and again at Regulatory Committee on 28 January 2009 at which it was agreed to visit the site for a second time on 10 February 2009 (A copy of the previous report is appended).
2. At this site meeting Members raised a number of issues and concerns including: formatting/wording of reports when referring to representations/petitions, consideration of an alternative site option, site sharing constraints and cumulative emissions figures. These issues can be addressed as follows:-

Representations/Petitions Signatories

3. Concern was raised on site that the report presented to Members offered conflicting information with reference to the number of representations and petition signatories. It can be confirmed that there were no individual letters of representation submitted during the assessment of this application. A petition containing 80 signatories was submitted in 4 separate submissions containing a total of 7 pages. As it was not clear from the submission which of the signatories had organized and submitted the petition, the decision was taken to register the first name on each of the 7 pages as a representation in order to ensure that the signatories could be kept informed of the progress of the application, including the date for site visits. Unfortunately this was incorrectly shown as individual letters of representation in the list of background papers. This anomaly has now been rectified.
4. Concern remained that the applicant had not sufficiently considered siting the installation further to the south on land between the railway and the canal and beyond. The applicant has

confirmed that the landowner had been approached but had declined to enter into discussions and advised that the site had future development potential.

5. The issue of possible site sharing options and emissions figures was raised. The applicant advised that the design and structure of adjacent mast was not suitable for site sharing in its present form. The issue of cumulative emissions of the two masts was raised by Members and the applicant gave an undertaking to provide this information. At the time of writing this updated report the applicant has not forwarded this information.
6. The applicants have also provided a copy of their emissions profile for their proposed mast as requested by the Convener. A copy of this has been appended for consideration of Members.
7. Taking into consideration the above, it is considered that the proposed location, siting and design is the best available solution for this target coverage area. It is recommended that planning permission be granted subject to conditions.

8. RECOMMENDATION

8.1 It is recommended that detailed planning permission be granted subject to the following conditions:-

- (1) The development to which this permission relates must be begun within 5 years of the date of this permission.
- (2) In the event that any of the equipment hereby approved, or installed subsequently, including the monopole structure, becomes obsolete or redundant it shall be removed not later than 6 months from the point that it becomes obsolete or redundant

Reason(s):

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To minimise the impact on visual amenity

Informative(s):

- (1) Should any made ground or suspect material be encountered during any site works, the Planning Applicant shall inform the Planning Authority immediately, as there will be a requirement for the Planning Applicant to undertake an appropriate environmental risk assessment in relation to contaminated land issues. The environmental risk assessment should be undertaken in accordance with current legislation and guidance and would be subject to review and approval by the Planning Authority. Where contamination is identified, development shall not begin until a scheme has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
 5. The nature, extent and type (s) of contamination within the site.
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8. Condition of the site on completion of decontamination measures.
5. Details of monitoring programme following site redemption.



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For Director of Development Services

Date: 18 February 2009

LIST OF BACKGROUND PAPERS

1. Polmont Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version).
3. NPPG 19 "Radio Telecommunications".
4. PAN 62 "Radio Telecommunications".
5. Petition containing 80 signatories.
6. Letter of representation from Sarah Green, 23 Langton Road, Westquarter, Falkirk FK2 9SX on 21 October 2008
7. Letter of representation from Sandra Stone, 7 Nicolton Court, Maddiston Road, Rumford, Falkirk on 21 October 2008
8. Letter of representation from John Hannigan, 48 T'ree Crescent, Polmont, Falkirk FK2 0UX on 21 October 2008
9. Letter of representation from B Cochrane, 5 Kenmore Avenue, Polmont, Falkirk FK2 0RG on 21 October 2008
10. Letter of representation from Owner/Occupier, 18 Dochart Crescent, Polmont, Falkirk FK2 0RE on 21 October 2008
11. Letter of representation from Owner/Occupier, 47 Polmont Park, Polmont, Falkirk FK2 0XT on 21 October 2008
12. Letter of representation from Owner/Occupier, 4 Alyth Driv, Polmont, Falkirk FK2 0YW on 21 October 2008

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

FALKIRK COUNCIL

Subject: ERECTION OF 14.2M HIGH MONOPOLE TELECOMMUNICATIONS
MAST WITH 1 NO. 300MM TRANSMISSION DISH, EQUIPMENT
CABINETS AND ANCILLARY WORKS, SITE TO THE WEST OF 71
BRECHIN DRIVE, GILSTON CRESCENT, POLMONT, FALKIRK FOR
VODAFONE - P/08/0657/FUL
Meeting: REGULATORY COMMITTEE
Date: 28 January 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: Kevin Brown (ext. 4701)

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Following consideration of this application by the Regulatory Committee on 3 December 2008 (copy of previous report appended), it was agreed to continue the planning application for a site visit, which took place on 18 December 2008.
2. In response to the issue of the applicant's consideration of alternative sites, the applicant has advised that they undertook an extensive search of all viable site options. A copy of the schedule of sites considered has been appended for the consideration of Members.
3. The possibility of disguising the mast to mimic a tree or telegraph pole, or to add additional screening, was also raised by Members. These options were considered by the applicant prior to submitting the current application. The reasoning for the chosen design solution was based around the existing street furniture in the vicinity of the site. It is considered that the slimline, simple and functional nature of the proposed mast is the most appropriate solution in this location, as it would be similar to the existing mast and would not look out of place within the streetscene. The option of disguising the mast as a telegraph pole was discounted by the applicant, as there are no similar structures in the area and the proposal would therefore be more visually prominent. Furthermore, the possibility of disguising the structure as a tree would not be appropriate in this location, due to the required height of the mast, and the fact that this area is not heavily wooded. Tree type masts are more appropriately located within or on the edge of larger groupings of trees, where they have a better opportunity to blend in with the backdrop or where only the top of the structure is visible. In addition, the available designs of tree type masts would not match the limited number of trees and vegetation at the proposed site. Due to the climbable nature of a tree mast solution, a secure compound would be required around the base of the structure such as a palisade fence, thus further increasing the visual impact of the proposal.

4. The possibility of relocating the mast further up the embankment, close to the northern side of the railway line, has also been considered by the applicant. Unfortunately, this is not a viable option due to an agreement between Network Rail and the mobile phone operators to locate any masts at least a half mile from any railway line, wherever possible. Network Rail would object to any base station development within this zone.
5. Taking into consideration the above, it is considered that the proposed location and design is the best available solution for this target coverage area. It is recommended that planning permission be granted subject to conditions.

6. RECOMMENDATION

6.1 It is recommended that detailed planning permission be granted subject to the following conditions:-

- (1) The development to which this permission relates must be begun within 5 years of the date of this permission.
- (2) In the event that any of the equipment hereby approved, or installed subsequently, including the monopole structure, becomes obsolete or redundant it shall be removed not later than 6 months from the point that it becomes obsolete or redundant

Reason(s):

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To minimise the impact on visual amenity

Informative(s):

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 9. The nature, extent and type (s) of contamination within the site.
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For Director of Development Services

Date: 20 January 2009

LIST OF BACKGROUND PAPERS

1. Polmont Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version).
3. NPPG 19 "Radio Telecommunications".
4. PAN 62 "Radio Telecommunications".
5. Petition containing 80 signatories.
6. Letter of representation from Sarah Green, 23 Langton Road, Westquarter, Falkirk FK2 9SX on 21 October 2008
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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).

FALKIRK COUNCIL DEVELOPMENT SERVICES	
RECEIVED	<i>additional info</i>
28 JUL 2008	
APPLICATION NUMBER	
P/08/0657/FUL	

Supporting Statement

General background

As you will be aware from all previous correspondence Vodafone Limited has strict Government obligations to meet in terms of the Licence issues to them and the subject proposal would therefore form an integral part of their comprehensive Third Generation (3G) network.

Operational Context

As more people want to use their phones in their homes, at work and on the move, the operator is obliged by their licence agreement to provide the high quality indoor coverage that the operator's customers expect. Coverage plots providing specific evidence as to how the network has been planned over the local area and demonstrating how the subject site will integrate in this regard have been commissioned and will be forwarded upon receipt.

However, in the mean time we would refer you to the paragraphs below for a better understanding of the operator's specific requirements:-

Establishing a 3G network

As you may be aware, Second Generation (2G) networks cater specifically for voice calls and text messaging, and their base stations could provide significant levels of network coverage for from locations outwith the target area.

However, in a contrast to this, 3G technology, which provides multimedia and internet data access, operates at a much lower power capacity. As such, 3G cell areas are geographically smaller than their 2G counterpart and require base station development to be located within the target coverage area. This restricts transmission levels and therefore limits the number of phone users being serviced by each base station facility, ensuring a high quality service to customers. In this regard we would highlight that on average 3G cells are required to be located between 500-1000m of each other within urban areas.

As your Department will understand, the establishment of an effective 3G network has several planning implications as the amount of base station sites being required continues to rise. However, the operator is committed to minimising the impact of their infrastructure within local environments by ensuring that only the most appropriate planning solutions are taken forward to a formal application stage.

Description of Proposal

Vodafone propose to install a 12m high slim line streetworks type telecommunications structure supporting 3No. 3G antennas within a GRP shroud and 1No. 300mm transmission dish. The total height will measure 14.2m AGL. 1No. outdoor cabinet and 1No. electrical mains pillar will be positioned parallel and to the west of the proposed mast structure.

Siting

The proposed site has been located within one of the few mixed land use pockets of the predominantly residential south east Polmont area. The area is not designated for any sensitive land use and there are no listed properties nearby.

The operator has identified a location that is away from as many sensitive viewpoints as possible, making best use of the available screening and backdrop provided by the existing vegetation and rising hillside. Several 10m high street lighting structures provide a good visual context and backdrop for the proposed development when viewed from surrounding public viewpoints.

Design

As previously clarified the proposed 14.2m high vertical mast structure will be coloured grey reflecting that of the existing street lighting columns and established base station development within the area, with the associated ground based equipment being coloured green (RAL 6009). Whilst we appreciate that the new structure may seem to be of significant size we would reiterate that this is an operational requirement to allow the proposed antennas to transmit signal without being impeded by surrounding clutter, such as existing vegetation and man-made developments, and for the requisite transmission dish to achieve direct line of site with the base station of the adjoining cell to ensure its effective integration within the network.

We are aware that the proposed development falls within a predominantly residential area, however, we would highlight that this is unavoidable due to the nature of the coverage requirement. Please note, however, that every effort has been made to ensure that any potential impact is kept to an absolute minimum. In this regard, the structure has been limited to a minimum operational height and girth, with a simplistic and operational aesthetical form. Furthermore, the structure has been set within a context of existing natural and man-made backdrops when viewed from surrounding vehicular routes and public viewpoints, thus minimising any potential impact upon the character of the locale.

Alternative Site Options

Prior to the progression of the subject solution, a number of possible alternative site options and designs were investigated in line with the recommendations of PAN 62. However, each of these has since been discounted as being unavailable or less appropriate for the reasons stated below:-

1) Orange PCS Site Share, Parkhill NGR: 294165E 677438N

Whilst we appreciate that both local and national planning policy recommend the use of established telecommunications base station sites this existing tower is located approximately 700m south of the target cell area. As you will be aware 3G equipment operates at a very low capacity and requires any coverage solution to be located within a close proximity to the target area. In a contrast to the well-established Second Generation (2G) Vodafone network, which could provide significant levels of coverage from locations outwith the target area, 3G technology and signal transmission must be kept

within a contained area for these reasons. As a result of the above, this site is too far removed to address the present deficit.

2) Parkhill Farm, NGR: Various

Given the significant lack of available structures within the target cell area, this property was given some consideration for a new base station development. However, similar to the above, its removed location and further issues resulting from the topographical undulation of the surrounding land would prevent any degree of coverage from being provided.

**4) Existing T-Mobile base station (Cell 77014), Gilston Crescent
NGR: 294035E, 678061N**

There is an existing telecommunications mast sited on Gilston Crescent, approximately 35-40m further west of the subject site.

This existing mast is designed as a single operator solution with a minimum height and girth in order to be as discreet as possible. As such, any redevelopment of this structure would involve an increase in both the height and girth of its existing dimensions in order that it could accommodate any additional equipment. This would have to incorporate a minimum vertical separation gap of 1m between both sets of antennas. As a result of the likely impact of any such redevelopment, we would consider this option to be less appropriate to a second slim line mast such as the subject solution.

**5) Agricultural land running parallel to the Union Canal
NGR: Various**

A number of sites within this area were given consideration at survey stages. Although initial contact was made with the land owner it has since been confirmed that they do not wish to accommodate our client. As such, this option must be discounted.

**6) Existing Electricity pylon structures
NGR: Various**

Whilst we appreciate that both national and local planning policy suggest the use of established structures as a preference, power complications and a lack of leasing agreement with the power company mean that this option could not be taken any further. As such, this option must be discounted.

7) Streetworks proposals, Gilston Crescent east and west

Given the lack of available man-made structures within the area, Vodafone had given initial consideration to the deployment of alternative streetworks options as a possible solution. However, the majority of the publicly adopted footpaths are restricted in terms of pavement width within this area, and as such any proposal upon these walkways would not meet with Council safety guidelines due to the subsequent reduction in width. As you will also appreciate this area is predominantly residential in nature consisting of 2-3 storey properties facing onto the arterial routes that serve them. Whilst the presence of several existing street lighting structures would offer a degree of

visual context for any new base station development, little to no additional screening would be available.

As a result of the above, the use of the subject site is considered to be a better coverage and planning option

8) Various streetworks options at Alyth Drive/Glamis Gardens/Montrose Road
NGR: Various

As above. Furthermore, coverage potential would be extremely limited due to the lower lying topography of these areas. As a result, the use of the subject site is considered to be a better coverage and planning option.

National Planning Policy Guidance

As with any application relating to telecommunications base station developments, this application should be considered with respect to National Planning Policy Guideline (NPPG) 19, Planning Advice Note (PAN) 62 and Circular 5/2001.

In this regard NPPG 19 clarifies that further base station development and the establishment of effective cellular networks is essential to the social and economic well being of Scotland, but reiterates that such development must not come at the expense of the environment. The Guideline also confirms that it is not for Local Planning Authorities to question the need of any such development, nor to include radiofrequency emissions as a material consideration, so long as a relevant ICNIRP certificate is provided by the operator in question.

PAN 62 further confirms the Scottish Executive's aim to secure a world class telecommunications service whilst safeguarding the natural and built environment, offering a "series of options" which should be considered when selecting a siting and design solution. In this regard, Paragraph 34 states:-

"The option with the least impact will vary according to site conditions, technical constraints, coverage and capacity requirements and landscape character.

The series of options is therefore a guide or checklist rather than a sequence to be rigidly followed.

The options are:

- *installing small scale equipment;*

We would take this opportunity to confirm that the applicant has kept the proposed height and girth of the mast structure, antennas and equipment cabinets, to an operational minimum.

- *concealing or disguising equipment;*

Given that standard streetworks types structures have already become an accepted part of the local landscape we would not consider the further disguise of the proposed equipment to be appropriate.

- *mast sharing;*

As noted above in the list of alternative sites, a number of established telecommunication sites were identified within the wider area. However, the potential for sharing/redeveloping these structure and addressing the present coverage deficit has been considered to be less appropriate for the reasons stated.

- *site sharing;*

As above.

- *installing on existing buildings or other structures; and*

Please refer you to the alternative site information in this regard.

- *erecting a new ground based mast."*

As above, please refer to the list of alternative site options.

We would, however, stress that this is a checklist rather than a rigid sequence of steps.

With regard to this proposal and the national planning guidance on telecommunications, we are of the opinion that this site is compliant and should be supported by your department.

The Development Plan

The Falkirk Council Structure Plan 2007 makes over-arching reference to the benefit of and need to support future telecommunications development within the Council's jurisdiction, however, there are no specific policies within the plan. As such, the relevant policy can be found in the Falkirk Council Local Plan Draft, 2007, Policy ST13 'Telecommunications', which 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.*

Please refer to the information on alternative sites and siting and design as listed above.

- (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.*

Again we would refer you to the siting and design information listed above. Furthermore, we would highlight that neither NPPG 19 nor PAN 62 suggest that new telecommunications development needs to be of a commensurate height to existing streetscape features, but rather that the operator should seek to limit the difference between the two. We would stress that a minimum operational height has been proposed in this regard.

- (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*

Not applicable

- (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."*

Not applicable

As a result of the above we would consider this proposal to strike the best available planning solution.

ICNIRP Compliance

We can confirm that in submitting the subject application, the operator has provided full and certification that their proposal will meet with current safety guidelines. In this regard our client has adhered to the strict independent guidelines laid down by both the International Commission on Non-Ionising Radiation Protection (ICNIRP), which is recognised by the World Health Organisation, and the guidance of the Health Protection Agency, which has superseded the National Radiological Protection Agency in their responsibility for advising the British Government on health and safety issues relating to the commercial use of radio waves.

All telecommunications operators are obliged to provide such certification when applying for planning permission for any new base station development. Please note that the operator has always managed their network provisions within these stringent guidelines, which are designed to protect people of all ages and states of health including the frail, infants and young children, and people taking medicine that compromises thermal tolerances. We would also stress that before a new telecommunications development is proposed the cumulative impacts of all installations within the area are taken into account. This cumulative impact must also comply with the ICNIRP guidelines.

Given that the operator has provided legal evidence that their proposed development will meet with the abovementioned safety requirements the merits of this proposal must be determined upon planning grounds alone.





FALKIRK COUNCIL

Subject: ERECTION OF 14.2M HIGH MONOPOLE TELECOMMUNICATIONS MAST WITH 1 NO. 300MM TRANSMISSION DISH, EQUIPMENT CABINETS AND ANCILLARY WORKS, SITE TO THE WEST OF 71 BRECHIN DRIVE, GILSTON CRESCENT, POLMONT, FALKIRK FOR VODAFONE - P/08/0657/FUL

Meeting: REGULATORY COMMITTEE

Date: 03 December 2008

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: Kevin Brown (ext. 4701)

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed application is for the erection of a 14.2 metre high streetworks style monopole mast and a small ground based equipment cabinet, coloured grey to match the existing street furniture. The proposed column will support apparatus designed to provide 3G coverage to Polmont.
- 1.2 The existing street furniture consists of 10 metre high lampposts; the proposed installation would be painted to match the existing street furniture.
- 1.3 The application site is located in a grass verge on a distributor road in a predominantly residential area of Polmont. There are no schools within the immediate vicinity of the application site.
- 1.4 Supporting information accompanying the application includes:-
 - A technical assessment justifying the need for the installation;
 - An assessment of alternative (discounted) sites; and
 - A certificate confirming compliance with the International Commission on Non-ionising Radiation Protection (ICNIRP) guidelines.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called in by Councillor Nicol.

3. SITE HISTORY

- 3.1 There is no specific site history relevant to this application. However a similar mast by a different operator is situated 35-40m to the west of the application site. The applicant has investigated the possibility of site sharing with this existing mast. However the existing structure is unable to accommodate both sets of apparatus.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has no objection to the proposal.

5. COMMUNITY COUNCIL

- 5.1 The Polmont Community Council has not commented on the proposal.

6. PUBLIC REPRESENTATION

- 6.1 No individual letters of representation were received following the neighbour notification process. However a petition has been received in relation to a number of mast applications in the Polmont area. The petition, signed by 80 people from the Polmont area, is not specific to this application. However it does raise general concerns about the health implications of masts of this nature.

7. DETAILED APPRAISAL

When determining planning applications, the status of the Development Plan is emphasised in Section 25 of the Town and Country Planning (Scotland) Act 1997. This requires that:

“the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

Accordingly,

7a The Development Plan

- 7a.1 There are no specific policies within the approved Falkirk Council Structure Plan relevant to this application.

7a.2 Policy POL 6.7 ‘Telecommunications’ states:

“Telecommunications development will be acceptable within the Urban Limit provided that, in the opinion of the Council:

- (i) there is no reasonable possibility of sharing existing facilities;*
- (ii) subject to technical and operational considerations, development is sited, designed and, where appropriate, screened so as to minimise its visual impact with particular regard being paid to protecting the integrity and setting of listed buildings, scheduled ancient monuments and conservation areas; and*
- (iii) proposals will not prejudice the implementation of other Local Plan policies.”*

7a.3 The applicants have submitted adequate information to demonstrate that alternative sites and mast sharing options have been considered in full. It has been demonstrated that the only sites suitable for mast sharing were outwith the target coverage area.

7a.4 The proposed location of the mast has been chosen due to existing street furniture and the fact that it is located outwith many sensitive viewpoints in the area. The mast has been designed in such a manner that it would blend in with the existing street furniture. It is considered that if the coverage requirement in the area is to be met, the mast cannot be reduced in height or size any further. The slimline monopole design is considered to be the most appropriate design solution for this location.

7a.5 It is not considered that this proposal is likely to prejudice the implementation of other Local Plan policies.

7a.6 The proposal therefore accords with the terms of the Development Plan (Polmont Local Plan).

7b Material Considerations

7b.1 The material considerations relating to this proposal are the representations received, the Falkirk Council Local Plan Finalised Draft (Deposit Version) and national planning policy and guidance.

Representations Received

7b.2 Health implications are not a material planning consideration.

Finalised Draft Falkirk Local Plan

7b.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."*

7b.4 Policy ST13 affirms the position outlined in Policy POL 6.7 of the Polmont Local Plan.

NPPG 19 and Pan 62 "Radio Telecommunications"

- 7b.5 National policy and guidance supports the provision of modern telecommunications networks within Scotland. These documents require cognisance of the duties placed upon the telecommunications operators via their license to provide coverage, albeit that this should be achieved using an appropriate environmental solution. In the event that a full assessment of the alternatives has occurred and environmental impact mitigated, national guidance indicates that there is unlikely to be any justification to refuse planning permission.
- 7b.6 In terms of potential health impacts, NPPG 19 states that "the planning system should not be used to secure objectives that are more properly achieved under other legislation". Emissions of radiofrequency (RF) radiation and power outputs from masts are controlled and regulated under separate legislation by other Government agencies. With these mechanisms in place the Scottish Executive concludes that it is not necessary for planning authorities to treat RF emissions as a material consideration. To demonstrate to planning authorities that the known health effects have been properly addressed, applications for planning permission involving antennas must be accompanied by a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation. It is the responsibility of the Scottish Executive and the UK government to decide what measures are required to protect public health. Provided this guidance is followed it is unlikely that planning authorities could justify extended or alternative requirements.
- 7b.7 Both NPPG 19 and PAN 62 provide detailed guidance on siting and design of telecommunications apparatus. This generally encourages a detailed assessment of a series of possible options in terms of location and design when considering network coverage. The optimum solution in terms of location and design when considering network coverage and environmental impact will vary depending on the particular circumstances of each case. Options include: small-scale equipment; mast and site sharing; concealment and also where clearly justified, new ground based installations. PAN 62 advises that the fundamental principle in siting and designing equipment is to minimise the contrast between the equipment and surroundings. The role of the planning system is largely to seek to address public concerns about siting and design by securing the best option in each case.

7c Conclusion

- 7c.1 The proposed development is considered to be acceptable development as it is in accordance with the terms of Policy POL 6.7 of the Polmont Local Plan and Policy ST 13 of the Falkirk Council Local Plan Finalised Draft (Deposit Version). There are no material planning considerations that would justify a refusal of planning permission in this instance.

8. RECOMMENDATION

- 8.1 It is recommended that detailed planning permission be granted subject to the following conditions:-

- (1) The development to which this permission relates must be begun within 5 years of the date of this permission.
- (2) In the event that any of the equipment hereby approved, or installed subsequently, including the monopole structure, becomes obsolete or redundant it shall be removed not later than 6 months from the point that it becomes obsolete or redundant

Reason(s):

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To minimise the impact on visual amenity

Informative(s):

- (1) Should any made ground or suspect material be encountered during any site works, the Planning Applicant shall inform the Planning Authority immediately, as there will be a requirement for the Planning Applicant to undertake an appropriate environmental risk assessment in relation to contaminated land issues. The environmental risk assessment should be undertaken in accordance with current legislation and guidance and would be subject to review and approval by the Planning Authority. Where contamination is identified, development shall not begin until a scheme has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
 13. The nature, extent and type (s) of contamination within the site.
 14. Measures to treat/remove contamination to ensure the site is fit for the proposed end-use.
 15. Measures to deal with contamination during construction works.
 16. Condition of the site on completion of decontamination measures.

17. Details of monitoring programme following site redemption.

R Geisler

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Director of Development Services

Date: 27th November 2008

LIST OF BACKGROUND PAPERS

1. Polmont Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version).
3. NPPG 19 "Radio Telecommunications".
4. PAN 62 "Radio Telecommunications".
5. Petition containing 80 signatories.
6. Letter of representation from Sarah Green, 23 Langton Road, Westquarter, Falkirk FK2 9SX on 21 October 2008
7. Letter of representation from Sandra Stone, 7 Nicolton Court, Maddiston Road, Rumford, Falkirk on 21 October 2008
8. Letter of representation from John Hannigan, 48 T'ree Crescent, Polmont, Falkirk FK2 0UX on 21 October 2008
9. Letter of representation from B Cochrane, 5 Kenmore Avenue, Polmont, Falkirk FK2 0RG on 21 October 2008
10. Letter of representation from Owner/Occupier, 18 Dochart Crescent, Polmont, Falkirk FK2 0RE on 21 October 2008
11. Letter of representation from Owner/Occupier, 47 Polmont Park, Polmont, Falkirk FK2 0XT on 21 October 2008
12. Letter of representation from Owner/Occupier, 4 Alyth Driv, Polmont, Falkirk FK2 0YW on 21 October 2008

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/08/0657/FUL

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



Falkirk Council

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