

FALKIRK COUNCIL

Subject: ERECTION OF 17.2 METRE HIGH MONOPOLE TELECOMMUNICATIONS MAST, 3 NO. ANTENNAS, 1 NO. 600MM AND 1 NO. 300MM TRANSMISSION DISHES, FORMATION OF COMPOUND WITH 1.8 METRE HIGH PALISADE FENCING, SITING OF OUTDOOR EQUIPMENT CABINET AND ANCILLARY DEVELOPMENT AT SITE TO THE WEST OF UNIT 2, BO'MAINS INDUSTRIAL ESTATE, LINLITHGOW ROAD, BO'NESS FOR VODAFONE LTD – P/09/0005/FUL

Meeting: PLANNING COMMITTEE

Date: 22 April 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor John Constable
Councillor Harry Constable
Councillor Adrian Mahoney

Community Council: Bo'ness

Case Officer: Kevin Brown (Planning Officer), ext 4701

UPDATE REPORT FOLLOWING CONTINUATION

1. Members will recall this application was originally considered at the meeting of the Planning Committee on 25 February 2009, on site on 19 March 2009 and again at the meeting of the Planning Committee on 25 March 2009 (copy of previous reports appended). Members agreed to continue consideration of the proposal to obtain further information from the applicant in relation to cumulative emissions details.
2. The applicant has been made aware of the request for further information. However, the applicant has advised that they cannot provide this information as they do not have access to other operators' details.
3. Members are advised that national planning policy and guidance in the form of NPPG 19: Radio Telecommunications states that "Planning authorities should not however question whether the service to be provided is needed nor seek to prevent competition between operators, but must determine applications on planning grounds." It should also be noted that NPPG 19 states "The planning system should not be used to secure objectives that are more properly achieved under other legislation. It is the responsibility of the Scottish Executive and the UK Government to decide what measures are required to protect public health." The guidance emphasises that, provided a proposal demonstrates compliance with the ICNIRP guidelines for public exposure to radiofrequency radiation, it is unlikely a refusal on the grounds of emissions and health can be justified. The proposed installation has the relevant ICNIRP certificate.

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 five years from 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 6months from the point that it becomes obsolete or redundant

Reason(s):

- (1) To comply with 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: 15th April 2009

FALKIRK COUNCIL

Subject: ERECTION OF 17.2 METRE HIGH MONOPOLE TELECOMMUNICATIONS MAST, 3 NO. ANTENNAS, 1 NO. 600MM AND 1 NO. 300MM TRANSMISSION DISHES, FORMATION OF COMPOUND WITH 1.8 METRE HIGH PALISADE FENCING, SITING OF OUTDOOR EQUIPMENT CABINET AND ANCILLARY DEVELOPMENT AT SITE TO THE WEST OF UNIT 2, BO'MAINS INDUSTRIAL ESTATE, LINLITHGOW ROAD, BO'NESS FOR VODAFONE LTD – P/09/0005/FUL

Meeting: PLANNING COMMITTEE

Date: 25 March 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

**Local Members: Councillor John Constable
Councillor Harry Constable
Councillor Adrian Mahoney**

Community Council: Bo'ness

Case Officer: Kevin Brown (Planning Officer), ext 4701

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was originally considered at the meeting of the Planning Committee on 25 February 2009 (copy of previous report appended), when it was agreed to continue consideration to allow a site visit to be carried out. This visit took place on 19 March 2009.
2. At the site meeting, the applicants were heard in support of the proposal and they explained that they would not be providing the Committee with the cumulative emissions details as requested. The applicant also advised that a mast share solution was not possible for this target coverage area due to the distance between cells.
3. A number of Members expressed concern at the information requested not having been provided and Councillor John Constable raised concerns relating to the number of mobile phone installations in the surrounding area and in the proximity of local schools. Councillor McLuckie said that the Committee were justified in their request for emissions information which would show the need for a mast in this location.
4. The applicants advised that they could provide coverage plot details for this target area and a copy of these have been appended for Members' consideration.

5. Notwithstanding the provision of these coverage plot details, Members are advised that national planning policy and guidance in the form of NPPG 19: Radio Telecommunications states that “Planning authorities should not however question whether the service to be provided is needed nor seek to prevent competition between operators, but must determine applications on planning grounds.” It should also be noted that NPPG 19 states “The planning system should not be used to secure objectives that are more properly achieved under other legislation. It is the responsibility of the Scottish Executive and the UK Government to decide what measures are required to protect public health.” The guidance emphasises that provided a proposal demonstrates compliance with the ICNIRP guidelines for public exposure to radiofrequency radiation it is unlikely a refusal on the grounds of emissions and health can be justified. The proposed installation has the relevant ICNIRP certificate.

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 five years from the date of this permission.**

- (3) 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 6months from the point that it becomes obsolete or redundant**

Reason(s):

- (1) To comply with 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.**
 - 6. Measures to treat/remove contamination to ensure the site is fit for the proposed end-use.**
 - 7. Measures to deal with contamination during construction works.****

8. Condition of the site on completion of decontamination measures.
9. Details of monitoring programme following site redemption.

A handwritten signature in black ink, appearing to be 'M. J. O.' or similar, written in a cursive style.

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For Director of Development Services

Date: 23 March 2009

Vodafone Supporting Technical Information for: -

64812 – Bo'ness Kinneil

Date Prepared: 3 Decemberr 2008




KEY TO COVERAGE PLOTS

The enclosed radio propagation plots are based on Ordnance Survey geographical information.

The level of coverage provided by a particular site is dependant on a number of variables. The main factors which determine the extent of coverage are: the frequency of the signal emitted, the height of the antenna above ground level, the characteristics of the surrounding topography and the type and occurrence of ground clutter such as buildings and trees which can cause 'shadows' or reflections and can absorb the signal.

Vodafone's Radio Engineers have produced accurate visual representations of the level of coverage available in this particular area by using advanced computer modelling software based on a Geographical Information System. The programme takes the numerous variables as above into account and can then calculate and plot the strength of the signal.

Existing and proposed sites are indicated by a circle with site number. The site number is shown by the lines:
 orientation of antennas

Key for GSM (2G) Plots

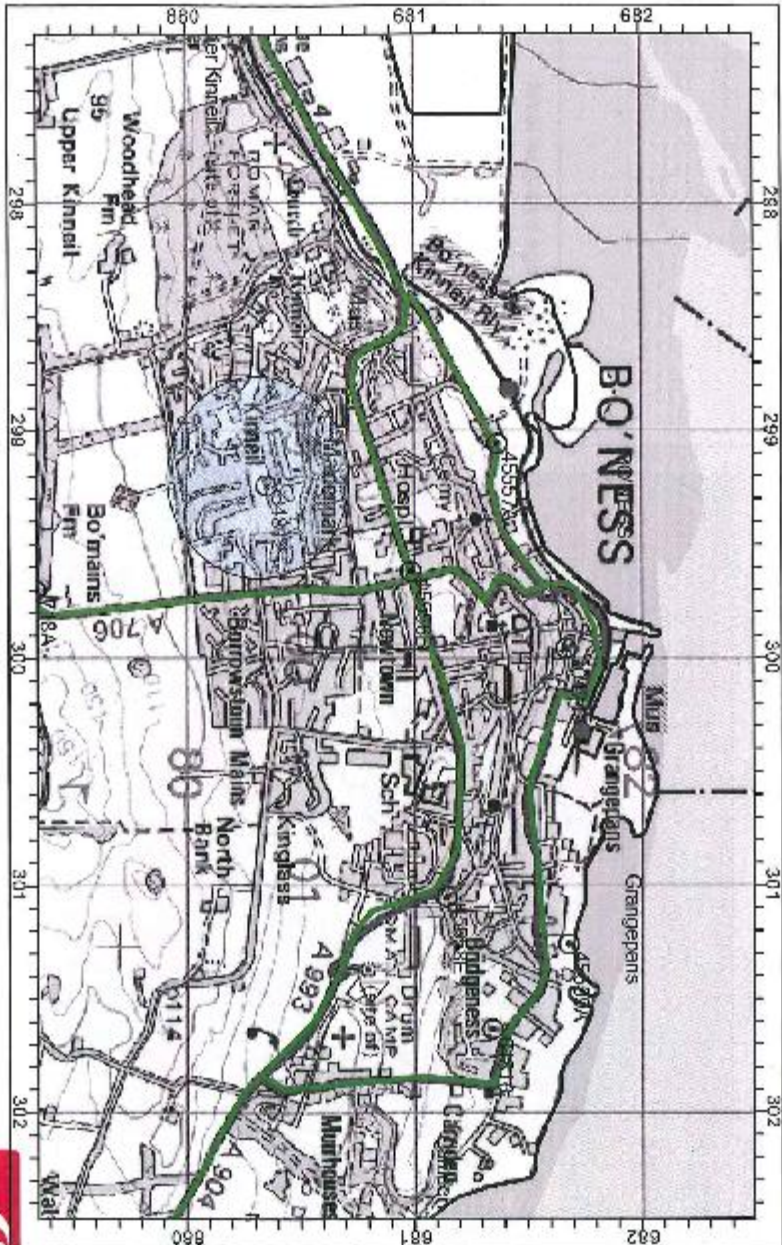
Orange	Sufficient signal strength to provide adequate service for indoor use of a hand portable mobile in urban areas.	Urban
Red	Sufficient signal strength to provide adequate service for indoor use of a hand portable mobile in suburban areas.	Suburban
Green	Sufficient signal strength to provide adequate service for use of a hand portable mobile in a car.	In Car
Yellow	Sufficient signal strength to provide adequate service for outdoor use of a hand portable mobile.	Outdoor
No Colour	Insufficient signal strength to provide reliable service.	No Coverage

Key for 3G plots

Pink	Sufficient signal strength to provide adequate service for indoor use of a hand portable mobile in dense urban areas, such as major cities and large industrial areas.	Dense Urban
Orange	Sufficient signal strength to provide adequate service for indoor use of a hand portable mobile in urban areas, for example dense residential and industrial areas.	Urban
Red	Sufficient signal strength to provide adequate service for indoor use of a hand portable mobile in suburban areas or on a train.	Suburban
Green	Sufficient signal strength to provide adequate service for use of a hand portable mobile in a car.	In Car
Yellow	Sufficient signal strength to provide adequate service for outdoor use of a hand portable mobile.	Outdoor
No Colour	Insufficient signal strength to provide reliable service.	No Coverage



64812 – Bo'ness Kinneil



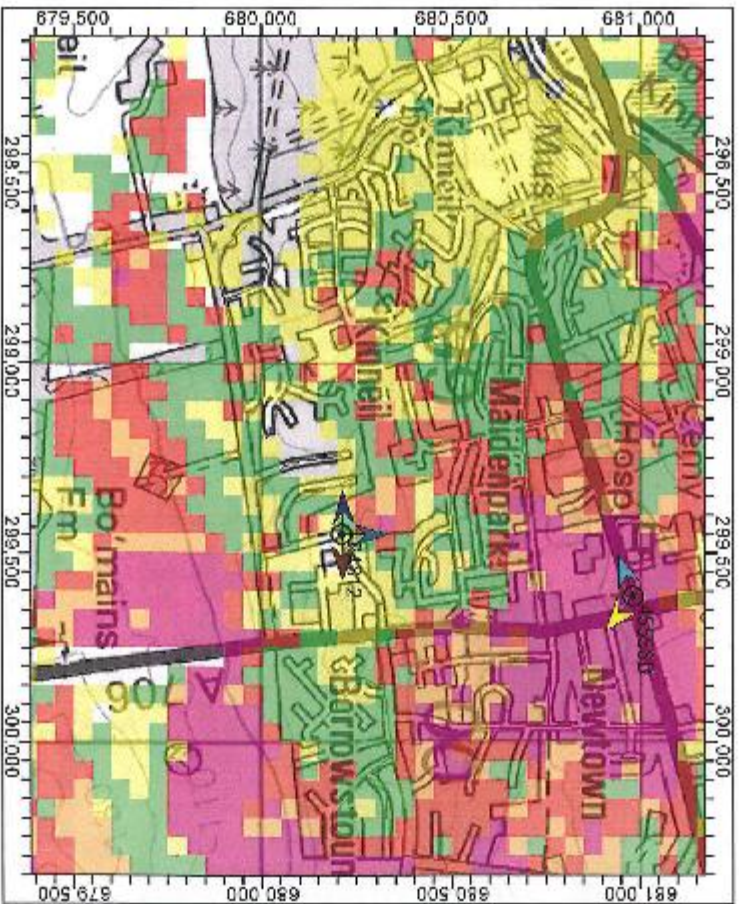
OS map extract for area.

UMTS (3G) Coverage Identified, target area circled in blue

This coverage plan must be read in conjunction with the key and site specific supplementary information.
Each colour block represents 100 metres square.



64812 – Bo'ness Kinnell - Present planned 3G Coverage

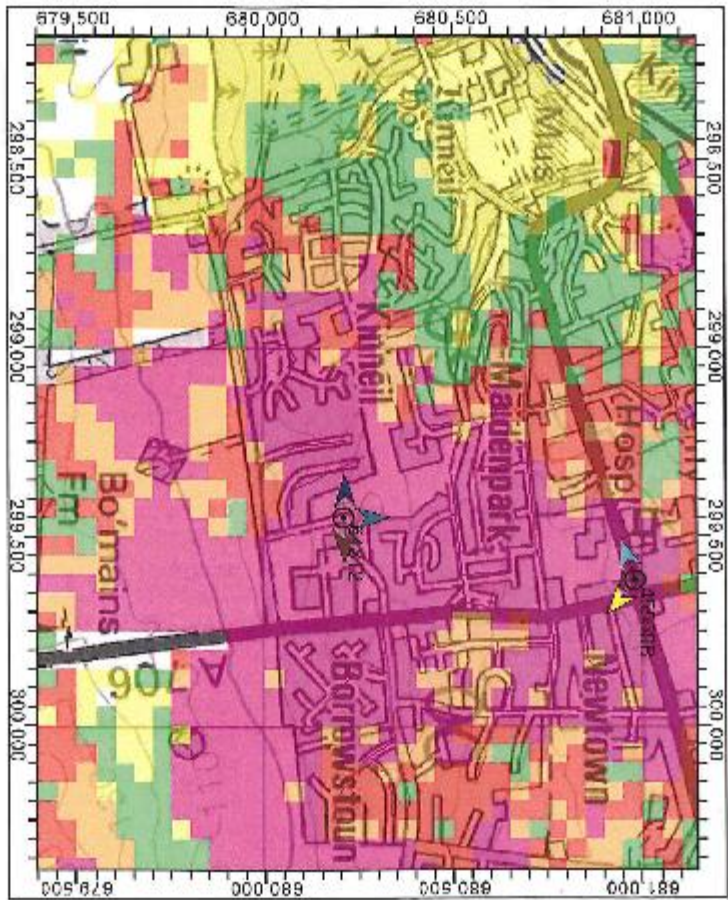


3G Coverage by signal level	
■	Dense Urban
■	Urban
■	Suburban
■	In Car
■	Outdoor

This coverage plan must be read in conjunction with the key and site specific supplementary information. Each colour block represents 100 metres square.



64812 – Bo'nness Kinnell - Proposed 3G Coverage



This coverage plan must be read in conjunction with the key and site specific supplementary information.
Each colour block represents a 100 metre square.



FALKIRK COUNCIL

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Meeting: PLANNING COMMITTEE

Date: 25 February 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

**Local Members: Councillor John Constable
Councillor Harry Constable
Councillor Adrian Mahoney**

Community Council: Bo'ness

Case Officer: Kevin Brown (Planning Officer), ext 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed application proposes the erection of a 17.2 metre high monopole style telecommunications mast within the boundary of Bo'mains Industrial Estate, Bo'ness. The site is located at the far north western corner of the industrial estate which is bounded by a large area of open space and would be partially screened by large trees which are approximately 8-10 metres in height.
- 1.2 The proposed structure and ancillary equipment cabinets are proposed to be enclosed by a 1.8 metre high palisade fence to match the boundary fence of the Industrial Estate.
- 1.3 The following supporting information has been submitted as part of this proposal:-
- A technical assessment justifying the need for the installation and a list of alternative site options that have been discounted:
 - A certificate confirming compliance with the International Commission on Non-ionising Radiation Protection (ICNIRP) guidelines.
- 1.4 A request has been made to the applicant for an emissions profile. At the time of writing this report, this is still outstanding.

2. REASON FOR COMMITTEE CONSIDERATION

2.1 This planning application has been called in by Councillor John Constable.

3. SITE HISTORY

3.1 None relevant to this application.

4. CONSULTATIONS

4.1 The Environmental Protection Unit has no objection to the proposal.

5. COMMUNITY COUNCIL

5.1 The Bo'ness Community Council has not commented on the proposal.

6. PUBLIC REPRESENTATION

6.1 No letters of representation were received following the neighbour notification process.

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.

Bo'ness Local Plan

7a.2 There are no specific policies within the Bo'ness Local Plan relevant to this application.

7b Material Considerations

7b.1 In this case the relevant material considerations comprise: -

- The Falkirk Council Local Plan Finalised Draft (Deposit Version).
- Prevailing National Policy and Guidance, specifically National Planning Policy Guideline 19 “Radio Telecommunications” (NPPG 19) Planning Advice Note 62 “Radio Telecommunications” (PAN 62).

Falkirk Council Local Plan Finalised Draft (Deposit Version)

7b.2 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.3 The applicants have submitted adequate information to demonstrate that alternative sites and mast sharing options have been considered. It has been demonstrated that the only sites suitable for mast sharing are outwith the target coverage area.

7b.4 The proposed location of the mast has been chosen due to its industrial backdrop, screening and the fact that it is outwith many sensitive viewpoints in the area.

7b.5 The design of the mast has been chosen due to its simple and operational aesthetic form. Whilst the site benefits from screening from a number of trees, this tree belt is not considered sufficient to adequately absorb a tree type mast and prevent it appearing alien in its surroundings. It is considered that due to the industrial nature of the area, the monopole design is the best design solution.

7b.6 ‘The beam of greatest intensity’ would not fall on any school grounds.

7b.7 The proposal is considered to be in accordance with the terms of Policy ST13.

7b.8 The proposals are therefore considered to be in accordance with the terms and conditions of the Falkirk Council Local Plan Finalised Draft (Deposit Version).

NPPG 19 and Pan 62 “Radio Telecommunications”

7b.9 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 licence 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.10 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 Government concluded 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. The applicant has submitted appropriate evidence in the form of an ICNIRP Certificate confirming conformity. It is the responsibility of the Scottish Government 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.11 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.
- 7b.12 In this instance there have been no letters of representation and the applicants have demonstrated that the siting of this proposal has been chosen to make the best use of the existing peripheral vegetation and established industrial units for screening and backdrop purposes. The proposal is considered to be in accordance with the guidance set out in NPPG 19 and PAN 62.

7c Conclusion

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

8. RECOMMENDATION

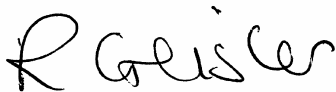
- 8.1 **It is recommended that detailed planning permission be granted subject to the following conditions:-**
- (1) The development to which this permission relates must be begun within five years from the date of this permission.**
 - (2) In the event that any of the equipment hereby approved, or installed subsequently, including the monopole structure, becomes obsolete or redundant it shall be removed not later than 6months from the point that it becomes obsolete or redundant.**

Reason(s):

- (1) To comply with 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:
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 4. Condition of the site on completion of decontamination measures.
 5. Details of monitoring programme following site redemption.



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Director of Development Services

Date: 18 February 2009

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan Finalised Draft (Deposit Version)
2. NPPG 19 'Radio Telecommunications'
3. PAN 62 'Radio Telecommunications'
4. Falkirk Council Structure Plan
5. Bo'ness Local Plan

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/09/0005/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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