

The Highland Council

**North Planning Applications Committee
27 October 2015**

Agenda Item	5.5
Report No	PLN/061/15

15/03433/FUL: SMART Metering, Land at Quarry Road Tain

Report by Area Planning Manager

Summary

Description : Installation of a 12 metre high SMART Metering streetpole with a 3 metre Omni antenna, and associated ground-based cabinets.

Recommendation - GRANT

Ward : 08 – Tain and Easter Ross

Development category : Local Development

Pre-determination hearing : None

Reason referred to Committee : Objection from Tain Community Council.

1. Proposed Development

- 1.1 The proposal is for the erection of a single 12m high telecommunications mast. This will allow communication between the next generation of gas and electricity meters and the suppliers.
- 1.2 The previous planning application (15/01742/FUL) was withdrawn following representations from the public. Following this, various discussions were undertaken by the applicant with various parties and the current application is a result of this.
- 1.3 No known infrastructure on the site.
- 1.4 Supporting statement submitted with application.
- 1.5 **Variations:** None

2. Site Description

- 2.1 The site is located between Quarry Road and Viewfield Road on an area of grass. To the east the grass are trees and scrub which screen the mast site from the nearest building to the east, Carnegie Lodge Hotel. The land to the north and south is open agricultural ground. The nearest residential properties are to the east and down hill of the Carnegie Lodge Hotel (approximately 160m); and uphill to the west (approximately 190m).

3. Planning History

- 3.1
- 15/01742/FUL Installation of a 12 metre high SMART Metering streetpole with a 3 metre Omni antenna. Withdrawn 14.07.2015. This site was approximately 105m to the east of the current application site.

4. Public Participation

- 4.1 Advertised : Unknown neighbours

Representation deadline : 16.10.2015

Timeous representations : 0

Late representations : 0

- 4.2 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. Consultations

- 5.1 **Environmental Health (24.09.2015)** : No comment on application

- 5.2 **Transport Planning (02.10.2015)** :

No objection in principle to the development proposed. All works within the public road boundary will require a Road Opening Permit and the precise detail and location of the installation shall be agreed with the roads authority (Community Services) through that process.

As the pole and cabinet are now to be located outwith the existing 30mph speed limit and beyond current street lighting provision, it is recommended that in agreement with the roads authority consideration be given to the provision of suitable measures to highlight the presence of the installation during hours of darkness.

- 5.3 **Royal Burgh of Tain Community Council (01.10.2015)** :

The Community Council finds this proposal to be just as concerning as its predecessor Ref No: 15/01742/FUL. We advised the applicant accordingly in response to a pre -application consultation.

*This is a mixed residential/hotel/semi-rural area. It is relatively open and exposed located as it is on the lower slopes of Tain Hill. Quarry Road as it passes the proposed site leads primarily to housing and to a popular walking area on the upper hill. We would wish to **object** once again on the grounds the proposal is visually incongruous in relation to the nearby uses, the housing and hotel in particular, and it will have a negative impact upon the amenity of individual passers-by whether on foot, bicycle or vehicle. Neither does it demonstrate sensitive siting nor make use of appropriate materials in keeping with local character. It is therefore considered sufficiently significantly detrimental to community and residential amenity as to fail the terms of Policy 28 Sustainable Design of the HWLDP. It is also considered the mast does not make a positive contribution to the visual quality of the place in which it is located therefore fails compliance within Policy 29 Design Quality and Place Making of the HWLDP.*

6. Development Plan Policy

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28	Sustainable Design
30	Physical Constraints
34	Settlement Development Areas
45	Communications
46	Siting and Design of Communications Infrastructure

6.2 Inner Moray Firth Local Development Plan (2015)

SDA	Tain Settlement Development Area
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7. Other Material Considerations

7.1 Highland Council Supplementary Planning Policy Guidance

Not applicable

7.2 Scottish Government Planning Policy and Guidance

SPP

8. Planning Appraisal

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 Development Plan Policy Assessment

The application requires to be assessed primarily against Policy 46 of the Highland-wide Local Development Plan which is concerned with the siting and design of communications infrastructure. The policy outlines that proposals will be supported where:

- Equipment and any associated access are sited and designed sensitively to avoid adverse impacts on natural, built and cultural heritage including landscape character and views (including cumulatively);
- Existing masts cannot be shared and are not interfered with;
- Redundant masts and equipment are removed.

- 8.4 The proposal is for the installation of:
- 12m high SMART metering streetpole with a 3m high omni antenna
 - Installation of ground based radio equipment housing cabinet
 - Installation of cabling and associated development
- 8.5 The pole is a standard height and design which will be used across the whole of the SMART Metering network.
- 8.6 The Supporting Statement identifies that various alternative sites around Tain have been examined for use – by sharing or redevelopment - but were identified as technically unsuitable to provide the required coverage, or not commercially available, and thereby discounted from use for the SMART metering system.
- 8.7 The Statement concludes that “...the installation of a new streetpole at the application site strikes the best balance between environmental and operational considerations, including the key requirement for the development to be close to the properties it is intended to serve.”
- 8.8 Health and Safety information has been submitted with the application including compliance with the guidelines of the International Commission on Non-Ionizing Radiation Protection (commonly referred to as the ICNIRP guidelines) The certificate submitted with the planning application certifies that the base station, when operational, will meet the precautionary ICNIRP guidelines. For the avoidance of doubt, the certification relates to the radio coverage provided from the base station and any other electronic communications installations at the site.
- 8.9 Scottish Planning Policy (SPP) outlines that *‘emissions of radiofrequency radiation are controlled and regulated under other legislation and it is therefore not necessary for planning authorities to treat radiofrequency as a material consideration’*. However for the avoidance of doubt it is noted that a certificate demonstrating compliance with the International Commission for Non-Ionizing Radiation Protection (ICNIRP) has been submitted alongside the application. The ICNIRP is a non-governmental organisation formally recognised by the World Health Organisation.
- 8.10 The key Development Plan policies 45 and 46 relate to telecommunications equipment and its siting. The submission indicates that alternative potential sites are not suitable. The proposal therefore accords with these policies. Furthermore, the proposal is considered to accord with Development Plan Policy 28, as it would not have a significantly detrimental impact on individual or community residential amenity. Accordingly, the proposal accords with the Development Plan policies.
- 8.11 **Material Considerations**

The application is similar to the previous application (15/01742/FUL) in terms of the mast structure and its technical details. However, the location of the mast has now been changed to take account of the representations previously received (on application 15/01742/FUL) from the Carnegie Lodge Hotel, with the current application site now being around 105m further west (uphill) and out of the immediate line of site from the hotel over the Dornoch Firth. This new location is considered to be a significant improvement with regards to the amenity of the hotel and the houses to the east of it at both Quarry Road and Viewfield Road.

Transport Planning have identified that there should be *provision of suitable measures to highlight the presence of the installation during hours of darkness*. The **visibility of the infrastructure** could be addressed by the use of appropriate reflective roadside bollards, or similar. This can be addressed by the use of a Planning condition.

Representation from Tain Community Council highlight that they consider that the proposal:

- is visually incongruous in relation to the nearby uses, the housing and hotel in particular, and it will have a negative impact upon the amenity of individual passers-by whether on foot, bicycle or vehicle

Planning comment – Whilst the proposal will introduce a new 12m (+3m antenna) high vertical structure into the landscape, it is a relatively slimline pole structure, rather than a lattice. At street level there is a small metering cabinet to the west side of the mast facilitating connection to the landline phone network. Visually, it is considered that the proximity of the adjacent trees will help to give a vertical anchor and reference point for the mast as well as a degree of screening, from both the east and west. When viewed from the east (coming up Quarry Road) the site also benefits from a degree of backdrop provided by the rising ground to the west.

- does not demonstrate sensitive siting nor make use of appropriate materials in keeping with local character

Planning comment – The agent has investigated various sites in the area and these have been discounted for a variety of reasons; technical (offering poor coverage, difficulty in site share, unsuitable existing structures); amenity (site would have an unacceptable impact within the context of local individual and community residential amenity). Whilst this site is new, it does provide the necessary coverage and has relatively minimal impact on amenity of nearby properties because it has a degree of separation from them. Accordingly, it is considered that within this context, the proposal has been sensitively sited.

and therefore the proposal does accord with the Development Plan policies.

8.5 **Other Considerations – not material**

None

8.6 **Matters to be secured by Section 75 Agreement**

None

9. **Conclusion**

- 9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. Recommendation

Action required before decision issued

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons / notes to applicant:

1. Planning permission is hereby granted for a temporary period only and shall cease to have effect on 10th August 2035 (the 'cessation date'). Prior to the cessation date, the application site shall be cleared of all development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments permitted under Class 67 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)) and reinstated in accordance with a scheme approved in writing by the Planning Authority under condition 2 of this permission.

Reason : In recognition of the temporary nature of the proposed development, to enable the Planning Authority to reassess the impact of the development after a given period of time and secure removal and restoration.

2. No development shall commence until a draft Decommissioning and Reinstatement Plan (DRP) has been submitted to, and approved in writing by, the Planning Authority. Thereafter no later than 12 months prior to the decommissioning of the development, a detailed DRP, based upon the principles of the approved draft plan, shall be submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt, the DRP shall include the removal of all above-ground elements of the development and the treatment of ground surfaces, management and timing of the works including any required traffic management measures. The detailed Decommissioning and Restoration Plan shall be implemented as approved.

Reason : To ensure the protection of retained trees throughout the construction period.

3. No development shall commence on site until the developer shall have provided details in writing and on plan of measures to clearly delineate and mark out the installation, such as by reflective bollards, for the approval in writing of the Planning Authority in consultation with the Roads Authority. The development shall thereafter be undertaken in accordance with the approved details and undertaken at the same time as the installation of the equipment on site. The approved measures shall be maintained in place for the duration of the siting of the mast.

Reason : In order to clearly mark out the installation and in the interests of road safety.

4. The SMART meter mast hereby approved shall be finished in 'Goose BS4000 00 A 05' (light grey).

Reason : To minimise visual impact.

Reason For Decision

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

Time Limits

Footnote To Applicant

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

Mud and Debris on Road

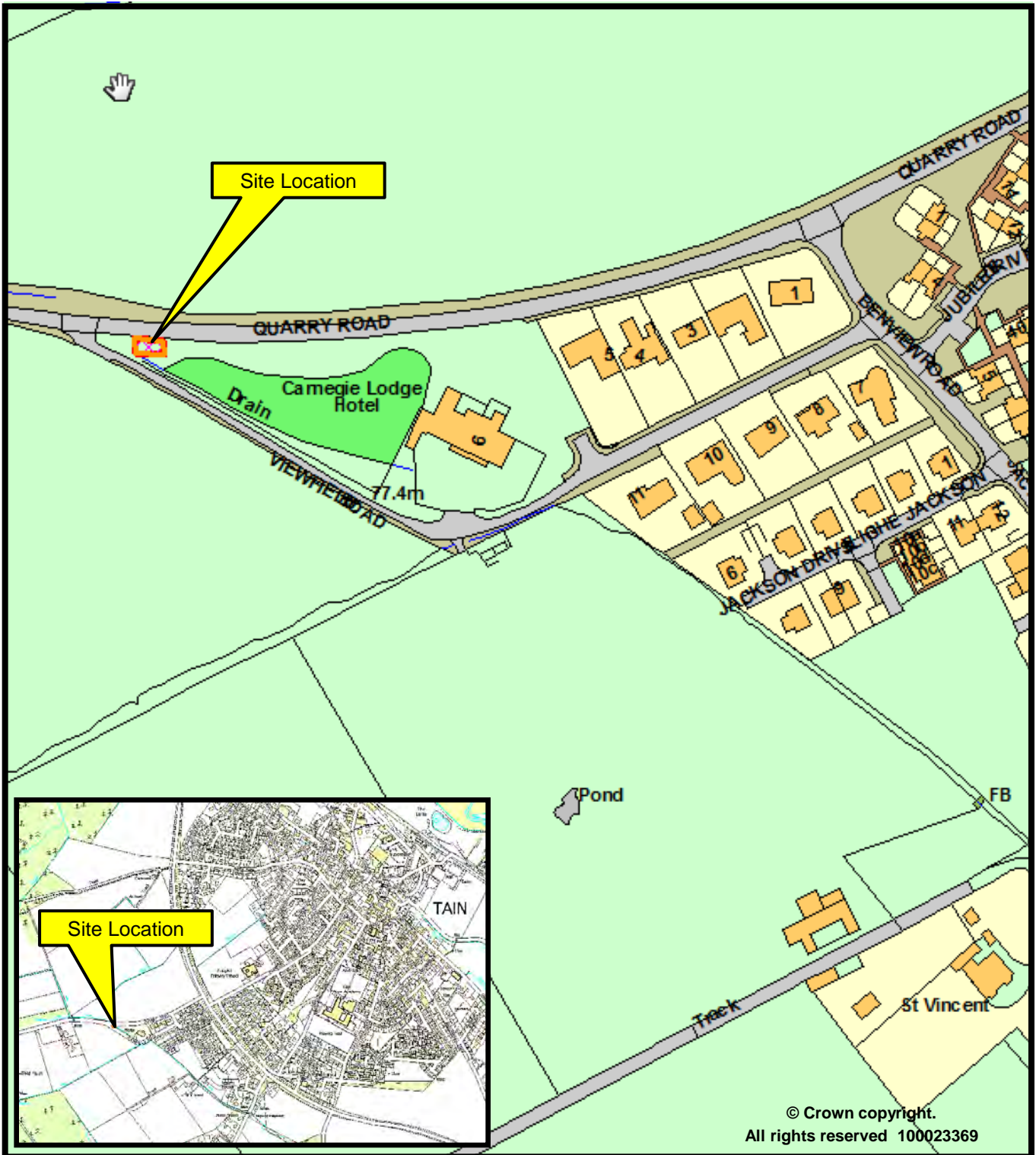
Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities: You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Signature: Dafydd Jones
Designation: Area Planning Manager North
Author: Bob Robertson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Proposed Elevation Plan
Proposed Site Layout Plan
Location Plan



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Planning & Development
Service

15/03433/FUL

Installation of a 12 metre high SMART Metering streetpole with a 3 metre Omni antenna, and associated ground-based cabinets.

Date: 14 October 2015



NOTE: PROPOSED 15KVA DNO SUPPLY TO BE RUN IN DUCT TO PROPOSED SMART METERING METER CABINET. DNO TO CONFIRM

NOTE: PROPOSED SMART METERING FEEDER CABLES TO RUN IN PROPOSED BURRIED DUCT FROM PROPOSED EQUIPMENT CABINET AND UP CENTER OF PROPOSED MONOPOLE TO ANTENNAS

NOTE: PROPOSED BT SUPPLY TO BE RUN FROM BT CHAMBER TO THE WEST OF INSTALLATION. BT TO CONFIRM

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NOTES
UNDERGROUND SERVICES
 UNDERGROUND SERVICES ARE INDICATIVE ONLY. POSITIONS SHOULD BE CONFIRMED ON SITE PRIOR TO ANY DEVELOPMENT

DRAINAGE
 DUCTS
 FEEDERS
 FENCE PLAN
 GAS
 LIGHTNING PROTECTION - EARTHING
 POWER
 SERVICES UNKNOWN
 TELECOMS
 WATER

ACCESS ARRANGEMENTS
 KEYS:-

ARQIVA GATE KEY

B KEY

C KEY

LEGGE KEY

SURVEY REQUIRED TO CONFIRM ACCESS KEYS FOR REMAINING ROOMS AND SITE ENTRANCE

CONTRACTOR:- HF COMMS

CONSULTANT:- HARLEQUIN GROUP
 RUTLAND HOUSE
 5 ALLEN ROAD
 LIVINGSTON
 EH54 6TQ

ENGINEER:- J WARDLAW
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DRAWING MANAGER:- P. FERGUSON
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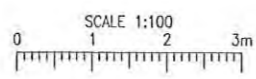
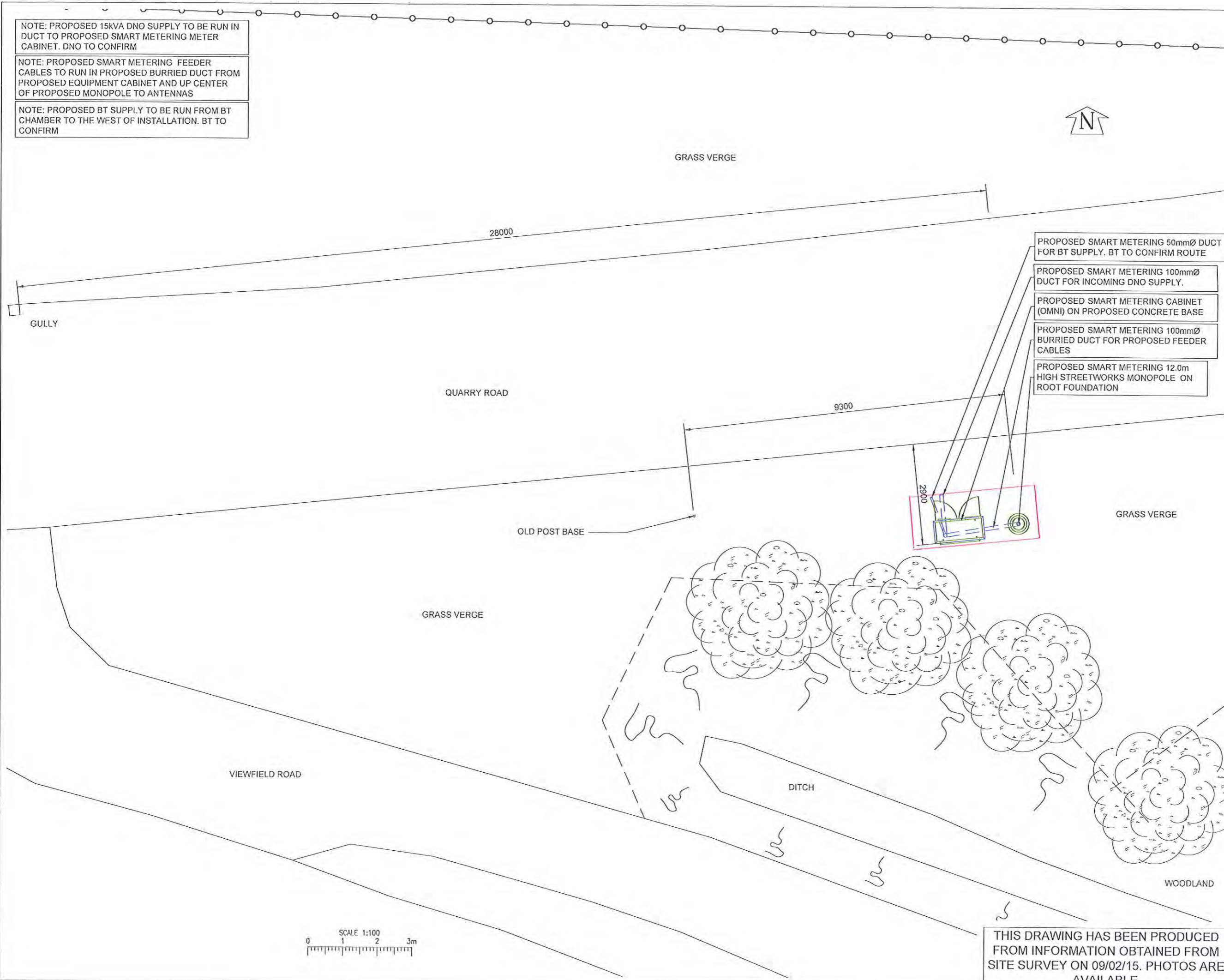
ISS	REVISION	DATE	DRN	APP
3	PLANNING ISSUE SITE RELOCATED	08/09/15	HAR	HF
2	PLANNING ISSUE MINOR AMENDMENT	03/06/15	HAR	HF
1	PLANNING ISSUE	30/04/15	HAR	KML



Crawley Court, Winchester, Hampshire, SO21 2QA
 Tel. 01962 823434, Fax. 01962 822378

SITE No 300922
 SM_IV002
 QUARRY ROAD WESTBOUND
 GRASS VERGE
 TAIN
 HIGHLAND
 IV19 1NR
 NGR NH 76802 81606
 OS GRID 276802 881606

TITLE SITE PLAN PROPOSED		
SCALE 1:100		
DRAWN	HAR	16/02/15
APPROVED	HF	08/09/15
DRG No.	Sheet 1 of 1	Rev
300922-00-001-MD003		3

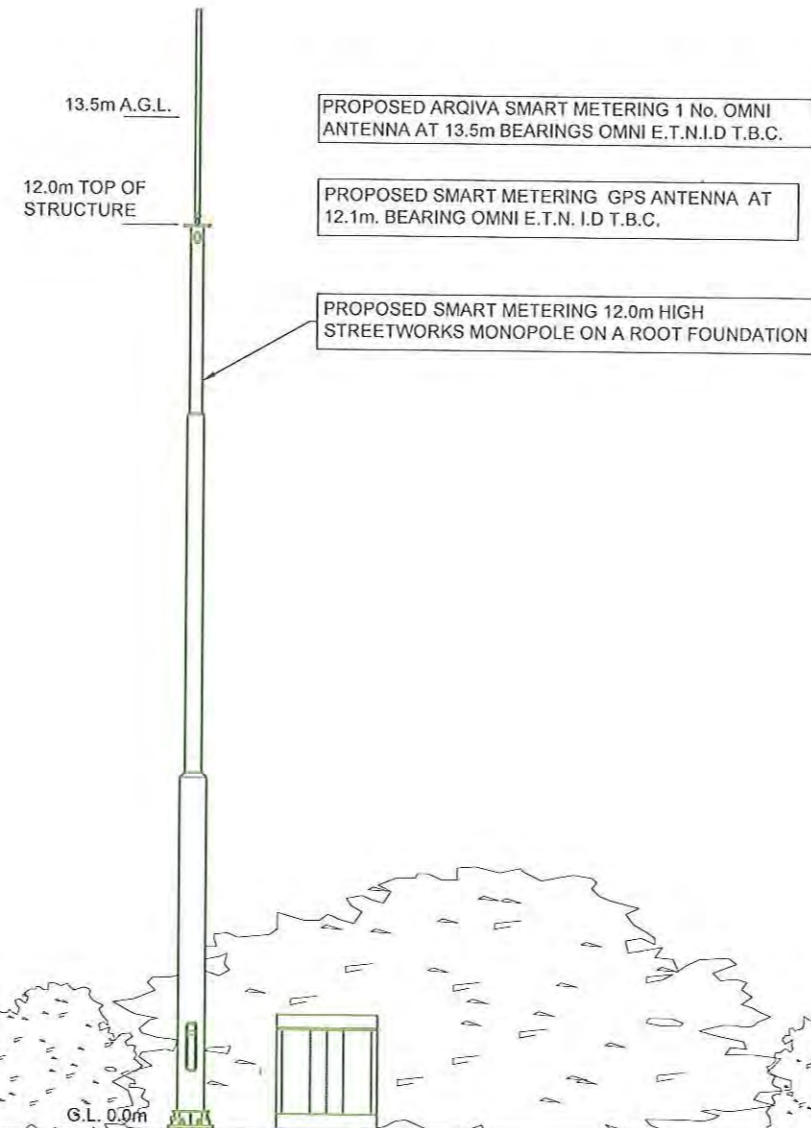


THIS DRAWING HAS BEEN PRODUCED FROM INFORMATION OBTAINED FROM SITE SURVEY ON 09/02/15. PHOTOS ARE AVAILABLE.

NOTE: PROPOSED 15kVA DNO SUPPLY TO BE RUN IN DUCT UNDER TO PROPOSED SMART METERING METER CABINET. DNO TO CONFIRM

NOTE: PROPOSED SMART METERING FEEDER CABLES TO RUN IN PROPOSED BURRIED DUCT FROM PROPOSED EQUIPMENT CABINET AND UP CENTER OF PROPOSED MONOPOLE TO ANTENNAS

NOTE: PROPOSED BT SUPPLY TO BE RUN FROM BT CHAMBER TO THE WEST OF INSTALLATION. BT TO CONFIRM



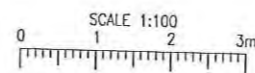
PROPOSED ARQIVA SMART METERING 1 No. OMNI ANTENNA AT 13.5m BEARINGS OMNI E.T.N.I.D T.B.C.

PROPOSED SMART METERING GPS ANTENNA AT 12.1m. BEARING OMNI E.T.N. I.D T.B.C.

PROPOSED SMART METERING 12.0m HIGH STREETWORKS MONOPOLE ON A ROOT FOUNDATION

PROPOSED SMART METERING CABINET (OMNI) ON PROPOSED CONCRETE BASE

NORTH ELEVATION



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NOTES

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ISS	REVISION	DATE	DRN	APP
3	PLANNING ISSUE SITE RELOCATED	08/09/15	HAR	HF
2	PLANNING ISSUE MINOR AMENDMENT	03/06/15	HAR	HF
1	PLANNING ISSUE	30/04/15	HAR	KML



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QUARRY ROAD WESTBOUND
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TAIN
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IV19 1NR

NGR NH 76802 81606

OS GRID 276802 881606

TITLE
ELEVATION
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Sheet 1 of 1
Rev 3

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