

WHITEMYRES FARM, LANGSTRACHT,  
ABERDEEN

TEMPORARY MAST EXTENSION AT  
WHITEMYRE FARM

For: Everything Everywhere

Application Ref. : P120430  
Application Date : 03/04/2012  
Officer : Tommy Hart  
Ward: Kingswells/Sheddocksley  
Ironsides/P Stephen/W Stuart)

Advert : Section 34 -Proj. Pub.  
Concern  
Advertised on : 11/04/2012  
(L Committee Date : 24 May 2012  
Community Council : No response received



**RECOMMENDATION: Approve - Time Limited Period**

## DESCRIPTION

The application site lies approximately 300m to the north of the Lang Stracht, and is accessed via a track to the newly opened Cockers Roses Garden Centre. The site rises fairly steeply to the north, is undulating, and is visible from most of the immediate area. There is a tree belt to the northeast of the site towards Lewis Road, as well as a small wooded area to the south surrounding Whitemyre House. The nearest residential properties lie approximately 100m to the east of the site where the land is on a slightly lower level but similarly undulating.

## HISTORY

The applicant previously had a telecommunications mast at the old Cockers Garden centre on Lang Stracht but following plans to redevelop that site for housing, the operator was served with a 'Notice to Quit'. The telecommunications apparatus, which was situated within a false chimney breast towards the rear of the site were subsequently decommissioned. A temporary mast was erected at the current site (this was permitted development under Part 20, Class 67 (1) b of the Town and Country Planning (General Permitted Development) (Scotland) Amendment (No. 2) Order 2001) to maintain network coverage whilst a permanent site was secured. The 'emergency' powers allowed by the permitted development order expired on 18<sup>th</sup> March 2010.

Planning ref 100826 for the erection of a temporary telecommunications mast for the period of 12 months was approved by the Planning Committee subject to the following conditions; (1) that the temporary telecommunications mast and associated equipment hereby granted planning permission shall be removed from the site on or before 18/03/2011 and shall not remain on the site thereafter - that the character and siting of the structures are not such as to warrant their retention for a period longer than that specified in this permission; (2) That within 28 days of the date of grant of permission, obstacle lights shall be placed on the telecoms mast. These obstacle lights must be steady rate red lights with a minimum intensity of 200 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must be in accordance with the requirements of 'CAP168 Licensing of Aerodromes' (available at [www.caa.co.uk/srg/aerodrome](http://www.caa.co.uk/srg/aerodrome)) – permanent illuminates obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport

Planning ref 101732 for the erection of a 25m tall telecoms mast and ancillary cabinets (to be located within the same field as the approved temporary mast) was withdrawn by the applicant.

Planning ref 110462 for a 12 month extension of life for the temporary mast approved under ref 100826 was granted approval by the DM Sub-Committee in July 2011 subject to the following conditions; (1) that the temporary telecommunications mast and associated equipment hereby granted planning permission shall be removed from the site on or before 18/03/2012 and shall not remain on the site thereafter - that the character and siting of the structures are not such as to warrant their retention for a period longer than that specified in this permission; (2) That within 28 days of the date of grant of permission, obstacle lights shall be placed on the telecoms mast. These obstacle lights must be steady rate red lights with a minimum intensity of 200 candelas.

Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must be in accordance with the requirements of 'CAP168 Licensing of Aerodromes' (available at [www.caa.co.uk/srg/aerodrome](http://www.caa.co.uk/srg/aerodrome)) - permanent illuminates obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport

Planning ref 111214 for the erection of a permanent telecoms mast and associated cabinets (replacement for the approved temporary mast) was approved conditionally under delegated powers in November 2011.

## **PROPOSAL**

The planning application seeks temporary planning permission to continue to site the temporary telecommunications mast on its existing site for a further 6 months to September 2012 in order that the operator can remedy a logistical situation at the permanent solution at 'The Kennels' on the southern side of The Lang Stracht. The operator has advised that there are issues getting power to the site and hence the requirement for an additional period of time. The mast facilitates antennae from both Hutchison 3G and T-Mobile.

The lattice mast sits on a trailer and is approximately 28.6m above ground level. The mast is secured to the trailer by guy ropes. A 1.8m high 'heras' style temporary fence surrounds the application site. Also within the site is a temporary container (2.5m x 4m x 3m in size). The application site is approximately 12m wide x 17m long.

## **REASON FOR REFERRAL TO SUB-COMMITTEE**

The application was advertised as a project of public concern and in terms of the Council's Scheme of Delegation this application must be determined by the Development Management Sub-Committee.

## **CONSULTATIONS**

ROADS SECTION – no observations

ENVIRONMENTAL HEALTH – no observations

COMMUNITY COUNCIL – no comments received

## **REPRESENTATIONS**

No letters of representation have been received

## **PLANNING POLICY**

The site lies is allocated as Land Release (policy LR1) in the Aberdeen Local Development Plan (ALDP). The Communications Infrastructure section of the Scottish Planning Policy (SPP) and PAN62 (Radio Telecommunications) all of more relevance.

## **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that in determining a planning application, regard must be had to the Development Plan. Determination shall be made in accordance with the Plan unless material planning considerations indicate otherwise.

The Development Plan consists of the Aberdeen City and Shire Structure Plan and the Aberdeen Local Development Plan.

## **Planning Policies**

ALDP policy LR1 (Land Release Policy) has agreed the principle of housing development on greenfield sites. The land has not been developed and can still be considered to be 'Green Belt' in nature. There is not considered to be conflict with the above policy.

ALDP policy NE2 (Green Belt) states *no development will be permitted in the green belt for purposes other than those essential for agriculture, forestry, recreation, mineral extraction or restoration or land renewal*. An exception to the rule is when essential infrastructure such as electronic communications infrastructure cannot be accommodated other than in the green belt. Whilst it has not been demonstrated that this is the only place the mast can be sited, it should be remembered that the mast has been in place for some time now, well before the new ALDP was adopted.

PAN 62 and the Communications Infrastructure section of the SPP all seek to ensure that telecommunications masts, antennae and equipment are sited and designed to minimise visual impact on intrusion. The PAN goes one step further by stating that developments should be concealed and disguised where possible. It is, however, recognised that technical requirements and constraints may limit opportunities for sensitive design and siting. Further, operators should look to look at mast and site sharing as an option in order to lessen the impact of proposed development. The SPP is clear that planning authorities should support the expansion of telecommunications infrastructure and should take into account the economic and social implications of not having full coverage capacity in areas.

In terms of the siting of this temporary telecommunications mast, it is acknowledged that the mast is visually prominent on this elevated position and there may well be a negative impact on the character and visual amenity of the surrounding area. It is also acknowledged that the lattice style mast as in place is not the most appropriate for this 'Green Belt' location. Although the operator has sought to minimise any impact of the mast by ensuring it is grey in colour, unfortunately this has not helped minimise the visual impact of this prominent structure.

However, in terms of the above Policy and Guidance, the operational requirements of the network is a material planning consideration. The operators have indicated that there is a need for an extension of time for this temporary mast due to issues relating to gaining power to the permanent solution at 'The Kennels' on the south side of the Lang Stracht and without this temporary mast there would be a 'hole' in the network. Site sharing is seen as good practice and is welcomed by the planning authority. Once the issues at the permanent site are satisfied, the temporary mast would be removed from site.

## **Conclusion**

Although the planning policies put an emphasis on siting and design, the Council have a duty to take account of coverage and in this instance, on balance, it is considered that the operational requirements of the operators are considered to outweigh the negative siting and design considerations raised in respect to this planning application, but only because of the temporary nature of this application. Had this application been for a permanent lattice mast in this 'Green Belt' location, it is unlikely that the application would have been recommended for approval.

## **RECOMMENDATION**

### **Approve – Time Limited Period**

## **REASONS FOR RECOMMENDATION**

Although the planning policies put an emphasis on siting and design, the Council have a duty to take account of coverage and in this instance, on balance, it is considered that the operational requirements of the operators are considered to outweigh the negative siting and design considerations raised in respect to this planning application, but only because of the temporary nature of this application. It is unfortunate that the permanent mast is not up and running and due to this there is a need for the Council to agree to this further temporary time period in the interests of operational requirements.

**it is recommended that approval is granted with the following condition(s):**

(1) that the temporary telecommunications mast and associated equipment hereby granted planning permission shall be removed from the site on or before 17/09/2012 and shall not remain on the site thereafter - that the character and siting of the structures are not such as to warrant their retention for a period longer than that specified in this permission.

(2) in the event that any part of this equipment becomes obsolete or redundant, it must be removed within 6 months of such event. In the event that all of this equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the Planning Authority, within 1 month of such removal – to minimise the level of visual intrusion and ensure the reinstatement of the site to a satisfactory condition.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.