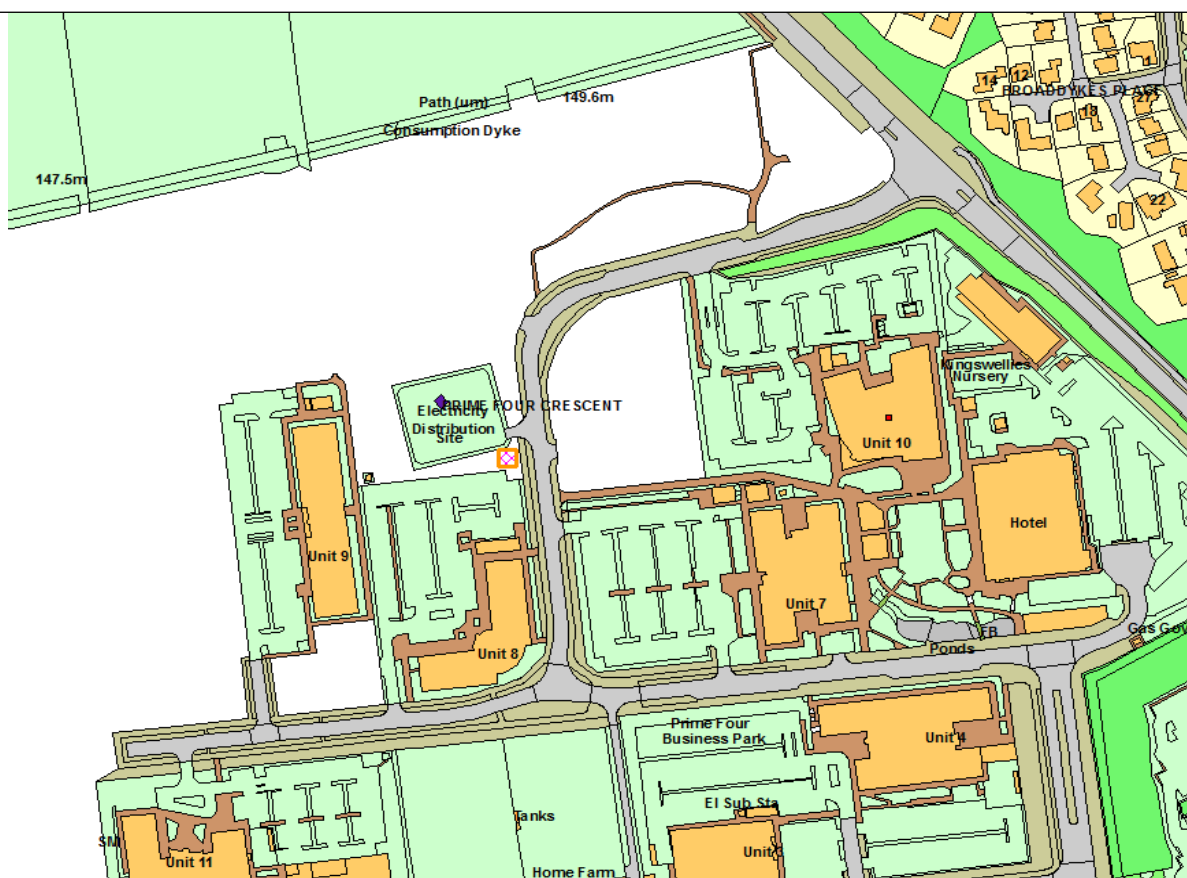


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 2 November 2017**

<b>Site Address:</b>	Land Adjacent To Access Road, Prime Four Business Park, Prime Four Crescent, Aberdeen AB15 8QG
<b>Application Description:</b>	Installation of telecommunications mast( 21m high), 3No cabinets within new compound
<b>Application Reference:</b>	171181/PNT
<b>Application Type</b>	Prior Notification - Telecommunications
<b>Application Date:</b>	2 October 2017
<b>Applicant:</b>	Cornerstone Telecommunications Infrastructure LTD
<b>Ward:</b>	Kingswells/Sheddocksley/Summerhill
<b>Community Council</b>	Kingswells
<b>Case Officer:</b>	Dineke Brasier



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## RECOMMENDATION

Prior Approval Not Required

## APPLICATION BACKGROUND

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### Site Description

The site is a relatively small square area near the northern boundary of the Prime Four business park measuring approximately 10m by 10m. The site is relatively level and would be located immediately to the south of an enclosed compound containing an electricity pylon. A low boundary wall runs along Prime Four Crescent immediately to the east. The business park itself is to the south.

### Relevant Planning History

Detailed planning application (ref. 152002) for the erection of a 25m tall lattice tower to support 3 antenna, 3 remote radio units (RRUs) and 2 x 300mm diameter dish antenna was sought on a site some 70 metres to the north of the current application site. That proposal also included the provision of 3 ground level cabinets all within 2.1m high palisade fence compound was refused on 28 April 2016. This decision was subsequently upheld at Local Review Body on 31 August 2016. The main reasons for refusal were in relation to its proximity and impact to the Kingswells Consumption Dyke, which is a Scheduled Ancient Monument, and the significant detrimental impact this would have on the visual amenity and setting of this structure.

## APPLICATION DESCRIPTION

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### Description of Proposal

The notification seeks determination as to whether the prior approval of the Planning Authority is required in relation to the siting and appearance of the proposed telecoms mast and 3 cabinets within a compound. The telecoms mast would be a lattice tower measuring 21m. On top of this would be a 3m high headframe containing 3 antennas, 3 remote radio units and 2 transmission discs with a diameter of 0.6m. The entire structure would have an overall height of 24m. Additionally, three green equipment cabinets, two of which measuring 1.4m by 1.3m, with the third measuring 0.6m by 1.6m, would be located immediately to the north of the mast. The mast and the cabinets would be set in a purpose built compound surrounded by a 2.1m high palisade fence, similar to that of surrounding the electricity pylon immediately to the north.

### Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OX6Y2KBZ01U00> .

The following documents have been submitted in support of the application –

- ICNIRP Certificate
- Supplementary Information

### Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because prior notifications for telecoms as specified in Part 20 (Development by Electronic Communications Code Operators), Class 67 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended) are not included in the scheme of delegation.

## CONSULTATIONS

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**ACC - Roads Development Management Team** – The proposed site is outwith any visibility splays, is set back from footways and has adequate room for maintenance vehicles to park without blocking the road. No objections.

## REPRESENTATIONS

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None

## MATERIAL CONSIDERATIONS

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### Legislative Requirements

The application has been submitted under Part 20, class 67 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended) as a Prior Notification. The application is for a determination as to whether the prior approval of the Local Planning Authority is required in respect of the siting and appearance of the proposed development.

### National Planning Policy and Guidance

PAN62 – Radio Telecommunications

### Aberdeen Local Development Plan (2017)

CI2 – Telecommunications Infrastructure

## EVALUATION

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### Background to the application

The application has been submitted under Part 20, Class 67 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended) (GDPO) as a Prior Notification. This is a relatively new procedure that came into being in August 2017, and increased permitted development rights for development by electronic communications code operators. As part of this, rather than having to apply for detailed planning permission, telecommunications companies can submit an application for Prior Notification for certain types of development related to the electronic communications network. This can include masts, ground based apparatus, building based apparatus, associated buildings and structures and access tracks. The GDPO sets out a number of criteria for each type of development. If the proposed development would meet all of the relevant criteria, then the Planning Authority can only determine whether prior approval is required for siting and appearance.

### Principle of Development

The proposed development would qualify for permitted development rights under Part 20 (Class 67) of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended) as:

- The site is sufficiently far away from the Kingswells Consumption Dyke, a Scheduled Ancient Monument (SAM), to be not considered to be located within the setting of this SAM;
- The overall height at 24m would not exceed 25m;
- The three ground based cabinets at a maximum height of 1.3m would not be higher than 3m, and with a total volume of 3.24m<sup>3</sup> would not exceed 90m<sup>3</sup> in volume;
- The three ground based cabinets total an area of 2.18m<sup>2</sup>, which exceeds the 1.5m<sup>2</sup> set out as the maximum size area of 1.5m<sup>2</sup> where planning permission would not be required.

However, a further clause sets out that this maximum size area does not apply to ground based apparatus to be used as equipment housing, which would be the case here. As such, this criteria is met;

The application is therefore assessed on siting and appearance only. The application site is located within a developed area of the wider business park and is immediately adjacent to an existing electricity pylon. The compound would be separated from Prime Four Crescent by a stone boundary wall. Upon approach from the east, the mast and associated structures would be viewed alongside the electricity pylon to the north and the car park and office building to the south west. Compared to the previous refused application, the mast has been moved some 70m to the south. This application was mainly refused due to the adverse impact it would have on the visual amenity and the setting of the Kingswells Consumption Dyke, a Scheduled Ancient Monument. It is considered that the repositioning of the mast into this existing cluster of utilities would overcome this reason for refusal. The use of a lattice type mast can be seen to emulate the appearance of the electricity pylon. It is therefore considered that the siting and appearance of the proposed telecoms equipment is acceptable, and prior approval would not be required.

## **RECOMMENDATION**

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Prior Approval Not Required

## **REASON FOR RECOMMENDATION**

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The proposed telecoms mast and ground based apparatus conform with all criteria as set out in Part 23, Class 67 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended). The proposed siting and appearance is considered acceptable when viewed in context with the existing development surrounding the site. Prior approval is therefore not required, and the proposed development would qualify for permitted development.