



Report To Banff & Buchan Area Committee – 16 April 2019

Reference No: APP/2019/0118

Full Planning Permission for Erection of 8 Metre Telecommunications Mast, Raised Concrete Platform and Handrail at Site Adjacent to Pennan Community Hall, Main Street, Pennan

Applicant: WHP Telecoms Ltd
Agent: WHP Telecoms Ltd

Grid Ref: E: 384396 N: 865503
Ward No. and Name: W02 – Troup
Application Type: Full Planning Permission
Representations: 2
Consultations: 3
Relevant Proposals Map: Aberdeenshire Local Development Plan 2017
Designations: Special Rural Areas (Coastal Zone), Conservation Area
Complies with: Yes
Development Plans:
Main Recommendation: Grant



NOT TO SCALE

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1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 The proposed mast lies to the west of the Pennan Community Hall on an area which is currently partly covered by a concrete slab which also gives access to the Hall. A steep embankment lies to the rear of the development site which allows informal access to the rear of the building, with vegetation beyond. Location and site plans are attached as Appendices 1 & 2 respectively.
- 2.2 The proposal is for the erection of an 8m mast immediately adjacent to the Hall, on a raised concrete platform with cabinet inbuilt at the base. A galvanised handrail and extension to the existing raised concrete platform is also proposed. The mast extends to a height of 8m with an attached antenna. The steel mast is to be finished in black. A plan of the site dimensions is attached as Appendix 3, and elevational details in Appendix 4 to this report.
- 2.3 The proposed mast is part of a project to provide mobile phone network coverage for public and commercial uses including the emergency services network to areas with no or fragmented connectivity to the existing 4G network.
- 2.4 There is no relevant planning history on the site.
- 2.5 The following information has been provided in support of the application-
 - Supporting Statement, WHP Telecoms Ltd (March 2019)
 - Site Specific Supplementary Information (January 2019)

3. Representations

- 3.1 A total of 2 valid representations (2 objections) have been received as defined in the Scheme of Delegation. This does not include multiple representations from the same household which equate to 2 letters in total. All issues raised have been considered. The letters raise the following material issues:
 - *Does not accord with the Local Development Plan;*
 - *Insufficient justification for development – socially, environmentally or economically;*

- *Negative impact on the settlement of Pennan – no requirement or desire from locals for a telecommunications mast and no consultation undertaken;*
- *Concerns with siting – impedes access to Hall;*
- *Visual impact of mast.*

4. Consultations

- 4.1 **Infrastructure Services (Built Heritage)** have no objection to the proposal. It is considered that the mast would be in a discreet location some distance from the historic core of Pennan and will not be discernible within the landscape.
- 4.2 **New Aberdour, Tyrie and Pennan Community Council** have objected to the proposal due to the siting in relation to the village hall and rear fire door; distance of mast to existing mast (500m), hall and homes; health and safety concerns; noise emissions from the mast; impact on conservation area.
- 4.3 **Scottish Natural Heritage** have no objection to the proposal. It is noted that the site is adjacent to the Troup, Pennan and Lion's Head Special Protection Area which is designated for its seabird interest. Due to the small-scale nature of the works proposed and the distance from the main concentrations of birds, it is unlikely there will be any significant effect on any qualifying interests. The site is also close to the Gamrie to Pennan Coast Site of Special Scientific Interest. The proposal is not considered to have a significant effect on the interests of the SSSI.

5. Relevant Planning Policies

5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term

public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth; promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used; encouraging population growth; maintaining and improving the region's built, natural and cultural assets; promoting sustainable communities; and improving accessibility in developments.

5.3 Aberdeenshire Local Development Plan 2017

Policy P1: Layout, Siting and Design
Policy P5: Digital Infrastructure
Policy E1: Natural Heritage
Policy HE2: Protecting Historic and Cultural Areas

5.4 Other Material Considerations

None.

6. Discussion

6.1 The key issues in the consideration of this application are the principle of development; impact on the surrounding area: built heritage, amenity and natural heritage; and concerns raised within letters of objection.

Principle of Development

6.2 Policy P5: Digital Infrastructure states that when considering proposals for telecommunications equipment, the extent to which the development involves mast or site sharing; installation on buildings or other existing structures; the installation of the smallest suitable equipment to meet the technological requirements; concealing or disguising masts, antennas, equipment housing and cable runs through design or camouflage techniques; whether it involves the installation of a new ground based mast, will be evaluated.

6.3 The proposed mast is to be located on an existing paved area, immediately adjacent to the Pennan Community Hall. The agent has confirmed that various

alternative mast locations were discounted due to their proximity to the conservation area which would also have required a standalone mast, as opposed to the proposed mast sited close to an existing building on the edge of the conservation area. The height of the mast is understood to be required for operational purposes and is considered acceptable in relation to the various developments in the immediate area including the Hall and lamppost. It is stated that the height has been reduced from 10-12m during pre-application discussions. Full details of all required considerations is provided in the supporting information. Overall, the application complies with the requirements of Policy P5: Digital Infrastructure, and is acceptable in principle.

Impact on Surrounding Area – Built Heritage

- 6.4 Policy HE2: Protecting Historic and Cultural Areas only allows development which preserves or enhances the character and appearance of a conservation area. The design, scale, layout, siting and materials used in development within a conservation area must be of the highest quality and respect the individual characteristics for which the conservation area was designated.
- 6.5 The proposal lies within the Pennan Conservation Area. Following consultation with Infrastructure Services (Built Heritage), the proposed mast is considered acceptable due to its siting away from the centre of the conservation area. The site would have a backdrop of cliffs which prevents the structure being readily visible in the skyline when approaching it from the public carriageway. It is considered to be an inconspicuous location within the Pennan Conservation Area and it should not be discernible within the landscape. The proposal complies with Policy HE2: Protecting Historic and Cultural Areas.

Impact on Surrounding Area – Amenity

- 6.6 The proposed mast lies in close proximity to the Community Hall to the western extent of the settlement of Pennan. The closest house to the proposal lies at a distance of approximately 25m beyond the hall to the east. Due to the distance and the intervening building, the impact on the visual amenity of the neighbouring properties is considered to be negligible.
- 6.7 Concerns were raised by the New Aberdour, Tyrie and Pennan Community Council regarding the potential for noise emissions from the mast. The agent has confirmed that no operational noise will be emitted from the mast during day-to-day operations.
- 6.8 It is considered that the impact on amenity resulting from the mast would be negligible.

Impact on Surrounding Area – Natural Heritage

- 6.9 The site is adjacent to the Troup, Pennan and Lion's Head Special Protection Area which is designated for its seabird interest. Due to the small-scale nature of the works proposed and the distance from the main concentrations of birds, it is unlikely there will be any significant effect on any qualifying interests. The site is also close to the Gamrie to Pennan Coast Site of Special Scientific Interest. The proposal is not considered to have a significant effect on the interests of the SSSI. Consultation with SNH has confirmed the above.
- 6.10 The proposal is considered to adhere to the requirements of Policy E1: Natural Heritage.

Other Considerations

- 6.11 Concerns were raised in letters of representation regarding the siting of the mast and the impact on the accessibility to the Hall. Due to the siting of the mast to the rear of the fire door the site plan shows that this would not cause a physical obstruction to the door. The agent has confirmed this and stated that the path is to be widened and a handrail provided to make improvements to this access as part of the application.
- 6.12 Concerns were also raised regarding the potential impact to health as a result of the mast. The agent has stated that an ICNIRP Compliance Certificate has been provided as part of the supporting documents for this application.
- 6.13 Concerns were raised regarding the need for the proposed mast within the village. Supporting information has been supplied by the agent which details the rationale for the project to provide 4G connectivity to areas with sparse or no current coverage. The agent states that public consultation was undertaken in August 2017 by the Scottish Government to identify settlements in need of this type of coverage.

Summary

- 6.14 The principle of the proposal is acceptable as it complies with Policy P5: Digital Infrastructure. The proposed siting is considered acceptable in terms of the conservation area, natural heritage concerns and proximity to residential properties. The concerns raised by the Community Council and within letters of representation are acknowledged and have been considered, however, it is not thought these have sufficient weight to outweigh the acceptability of the proposal. As such, the proposal is recommended for approval.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the Planning Authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None.

10.2 Local Development Plan Departures

None.

- 10.3 The application is not a departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.

- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

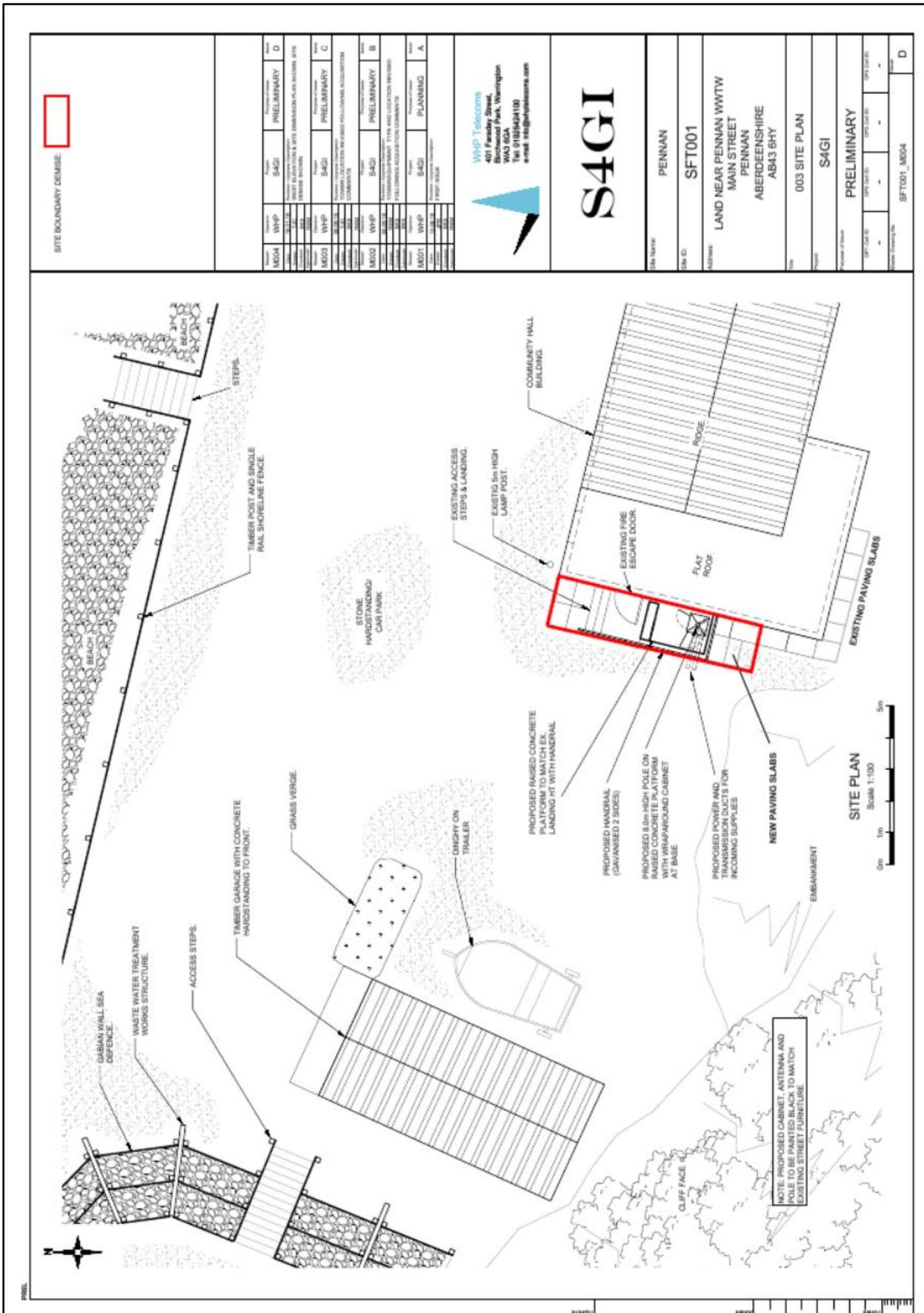
11.1 Grant Full Planning Permission

11.2 Reason for Decision

1. The proposed development accords with the development plan and there are no material considerations which indicate that permission should be refused.

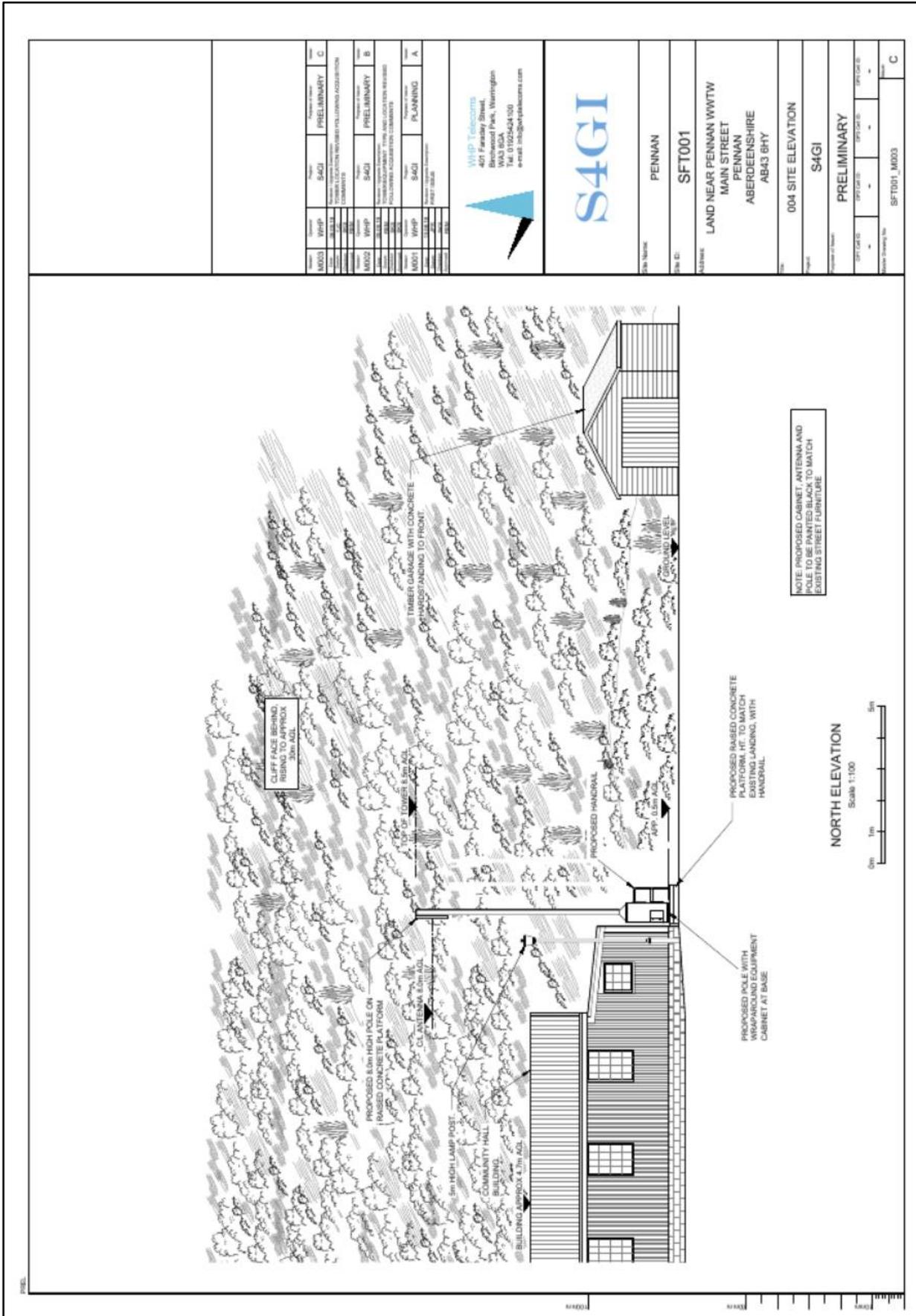
Stephen Archer
Director of Infrastructure Services
Author of Report: Fiona Rendall
Report Date: 29 March 2019

APPENDIX 2 Site Plan



SITE BOUNDARY DEMISE					
M004	WHP	S4GI	PRELIMINARY	D	
M004: WHP: S4GI: PRELIMINARY: D: WEST BARRACKS & SITE DEMONSTRATION PLAZA BOUNDARY SITE					
M003	WHP	S4GI	PRELIMINARY	C	
M003: WHP: S4GI: PRELIMINARY: C: TOWNHALL LOCATION BY FIRST FOLLOWING ACCENTURATIONS					
M002	WHP	S4GI	PRELIMINARY	B	
M002: WHP: S4GI: PRELIMINARY: B: TRANSPORTATION TYPE AND LOCATION BARRACKS					
M001	WHP	S4GI	PLANNING	A	
M001: WHP: S4GI: PLANNING: A: FOLLOWING BARRACKS DEVELOPMENTS					
WHP: WHP: S4GI: PLANNING: A: FIRST STAGE					
WHP Telecommunications 401 Fawcett Street, Birtwood Park, Warrington WA3 5GA Tel: 01925644100 email: info@whpcommunications.com					
S4GI					
PENNAN SFT001 LAND NEAR PENNAN WWTW MAIN STREET PENNAN ABERDEENSHIRE AB43 6HY 003 SITE PLAN S4GI PRELIMINARY SFT001_M004 D					

APPENDIX 4 Proposed Elevation



Comments for Planning Application APP/2019/0118

Application Summary

Application Number: APP/2019/0118

Address: Pennan Community Hall Main Street Pennan Aberdeenshire AB43 6HY

Proposal: Erection of 8 metre Telecommunications Mast, Raised Concrete Platform and Handrail

Case Officer: Fiona Rendall

Customer Details

Name: Mr Alex. Campbell

Address: The Boathouse Pennan

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Fundamentally our objections - including those of our twin 17 year old daughters - is that the proposed development fails to meet any of the justifications. For example, the claim that the proposed development provides "...social, environmental or economic benefits of national importance..." is simply nonsensical and wholly unjustifiable. There are no social needs; clearly there is NO environmental benefit; and, quite frankly there are no economic benefits of national importance. Simply, installing a telecomms mast in Pennan is a waste of public funds.

Further, the claim that the development meets the LDP "...aspirations to deliver measurable improvement on key social economic and environmental indicators...to tackle climate change, promote healthier lifestyles, regenerate disadvantaged communities and improve transport and telecommunications links..." is fundamentally flawed. It doesn't achieve - in any sense - an improvement on key social economic and environmental indicators. People choose to live in Pennan for the sense of community, it's rural, natural and peaceful - arguably slightly remote - environment. It does not in any sense tackle climate change. Quite the opposite, it negatively contributes to climate change as the energy, expended in the manufacture, construction, installation and service of the mast is significant and there is no obvious benefit...indeed, we would contend that there is NO benefit. It absolutely does NOT promote a healthier lifestyle...as our daughters commented, it is more likely to encourage healthier lifestyles by NOT having mobile phone reception as people may instead enjoy the views, walking on the beach, exploring the immediate natural surrounds. The Pennan community is NOT a disadvantaged community and, even though it faces some challenges, lack of telecommunications is not one of them. It does not improve transport. It is questionable if it improves telecommunications as most people living in Pennan have high speed broadband and WiFi mobile service, therefore, if it benefits anyone, it benefits transient visitors who, if they really needed access could access the WiFi in the local hotel...or just ask someone in the village if they could use their phone...or

In summary, there is no justification, or requirement, for a telecommunications mast in Pennan. It meets none of the stated objectives - particularly for the residents of Pennan! We strongly object to the proposed development on the basis that it does not meet the stated objectives, offers no benefits to the residents of Pennan, it offers no economic benefits to the village, and, indeed, it contravenes a number of the stated objectives particularly those related to the environment, climate change or healthier lifestyles.

As a further comment, limited public funds could be better spent addressing the stated objectives. However, to achieve the stated objectives, the funds might better be directed towards high speed broadband and to communities where there is significant economic or social benefit, rather than providing mobile coverage to communities who don't need mobile coverage.

Comments for Planning Application APP/2019/0118

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Proposal: Erection of 8 metre Telecommunications Mast, Raised Concrete Platform and Handrail

Case Officer: Fiona Rendall

Customer Details

Name: Mr Alistair Mackenzie

Address: Fernlea Kirkton of Maryculter

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 26th February 2019

Dear Sirs,

Subject: APP/2019/0118 Erection of 8Metres Communication Mast

The following representation is submitted on behalf of Pennan Hall Management Committee in respect of the subject planning application.

- In the first instance there is no clear evidence of a majority desire from Pennan residents to have mobile network communication extended to the village. There is no evidence of any consultation to establish that such coverage is desired. I say this from the perspective that I am aware that some individuals have no desire to have such 'connectivity' in Pennan. It is indeed a fact that those (some) individuals find one of the unique attractions of Pennan to be the absence of significant (or total) mobile signal in Pennan in that it allows them to "get away from it". In that regard I suggest it would have been prudent to have established the popular opinion of residents/owners before making the assumption that such change might be welcomed.

- The proposed location of the mast is immediately adjacent to the west end gable of the Pennan Community Hall. This is unacceptable in that it restricts maintenance access to that gable and may also absolutely restrict any future opportunity to adapt, extend or otherwise amend the footprint and arrangements of the community hall. I would suggest that allowing siting immediately adjacent to an already existing building will set a rather unusual precedent.

- The proposed location sites the mast on top of an already existing and made-up slab pathway that allows access, currently unrestricted, along the west gable to the rear of the hall. The pathway is used from time to time to move equipment to/from the rear of the hall and for maintenance access around the hall. The proposed site will completely obstruct that access. Again, I suggest that allowing the siting of the mast structure on the top of an already existing path is an unusual precedent to set.

I have seen some peripheral communication from the Proposer to suggest that the path is

overgrown and that same will be tidied up as part of the work - "planning gain". The suggestion that the path at the rear of the hall is "overgrown" is quite simply not correct. The path is generally clear from obstruction and facilitates access in both directions around the rear of the hall. It is slab laid, generally of good make-up and is in good order.

- It is suggested that the mast structure will be very much like one of the street lamp structures already in position in the village and adjacent to the hall but at 8 metres height, the mast is considerably taller than the lamp posts and the control/communications cabinet at the bottom of the mast is significantly larger than the profile of the lamp posts. Accordingly the mast is significantly more 'visual' and as such intrusive than the street lamp posts.

Yours faithfully,

Alistair Y Mackenzie

For and on behalf of Pennan Hall Committee