
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: **REPORT ON CALLED-IN PLANNING APPLICATION**

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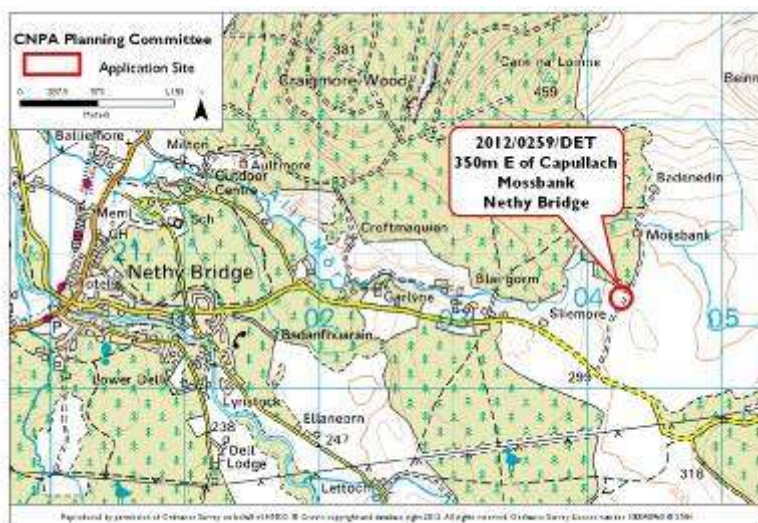
DEVELOPMENT PROPOSED: 10.5m high slim line lattice tower. 2No. Airwave 8 Element Yagi antennas on boom arms. 2No. 600mm transmission dishes. 1No. equipment cabin, 1No. meter cabinet, 9x6m compound enclosed by 1.2m high timber and pig mesh stock proof fence

REFERENCE: 2012/0259/DET

APPLICANT: Airwave Solutions

DATE CALLED-IN: 17 August 2012

RECOMMENDATION: Approval Subject to Conditions



Grid reference: 304266 820664
Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application seeks full planning permission to establish a mast and radio base station to the east of Nethybridge near Sliemore. The proposals, (as described in detail in the application description above) are essentially to erect a 10.5 metre high lattice mast tower with associated apparatus set within a compound measuring some 6 metres by 9 metres. Figure 2 below show the appearance of the tower and apparatus

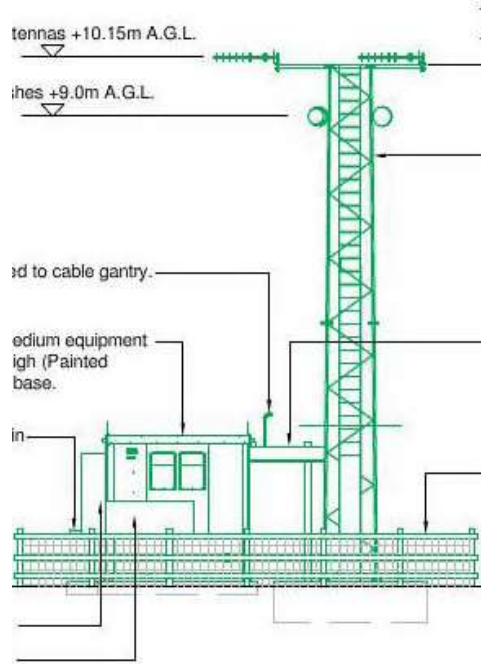


Fig.2 - Elevations of Mast

2. The mast is of standard design and the developer is willing to finish it in any colour which may be considered appropriate, the standard colour they use being grey. Supporting documentation has been submitted which explains that the applicants are licensed to provide a public safety communications network for the Emergency Services throughout Scotland. This highlights that an efficient communication network is essential to the provision of these services and a number of gaps in coverage have been identified in the area east of Nethybridge. Additional infrastructure is therefore required.
3. The proposed site is located along a private track leading northwards of a minor road which connects through from Nethybridge to the Tomintoul to Grantown on Spey road. The track also serves two other residential properties which are located some distance up the track on the other side of woodland from the application site. The site is located on rough land bounded to the north and further west by woodland at Sliemore and Craigmore Woods. (Craigmore Wood is a special protection area, designated for bird interest in terms of breeding Capercaillie and ancient woodland.) Figure 3 below shows the site layout which also includes a temporary access onto the minor track serving the site

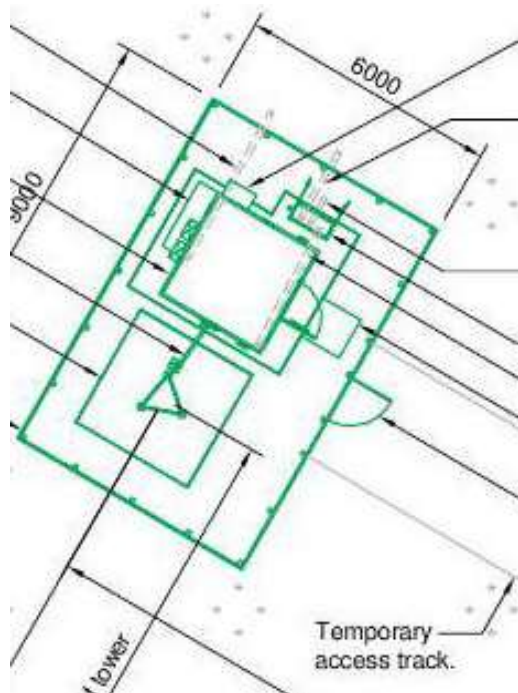


Fig.2 – Site Layout

4. The applicants' agent has submitted supporting information to explain why this site was chosen, outlining the alternatives which had been considered and dismissed, the reasons being some sites has restricted coverage, and one was visually prominent. Site sharing on pylons has not proved possible or practical.
5. Certification has also been submitted to demonstrate that the proposal complies with current ICNIRP (International Commission on Non Ionizing Radiation Protection) guidelines for limiting exposure to time varying electric, magnetic and electromagnetic fields in order to avoid adverse health effects.

DEVELOPMENT PLAN CONTEXT

National policy

6. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It sets out that planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic

growth and has the basic aim “to achieve the right development in the right place.”

7. As a replacement for a variety of previous planning policy documents the new Scottish Planning Policy includes ‘subject policies’, of which many are applicable to the proposed development. .
8. The key topic in this case communications infrastructure (paragraphs 248 - 254) which sets out the importance of supporting an expansion of the electronic communications network. The need to ensure that the environmental impacts of communications infrastructure is kept to a minimum is stressed with reference made to Planning Advice Note 62 on Radio Communications for further advice and guidance on siting.

Strategic Policies

Cairngorms National Park Partnership Plan 2012-2017

9. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.
Three long term outcomes for the Park are set out as follows:
 - A sustainable economy supporting thriving businesses and communities;
 - A special place for people and nature with natural and cultural heritage enhanced; and
 - People enjoying the park through outstanding visitor and learning experiences.
10. These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan
11. A key work package of the Plan is to improve IT and mobile communications connectivity in order to support a sustainable economy with the need to improve the communications network highlighted.

Local Plan Policy

Cairngorms National Park Local Plan (2010)

The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at:
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>

New development requires to be assessed in relation to all policies contained in the Plan. In this case the key policies are set out below.

Policy 30 Telecommunications which sets out that the siting and design of proposals should demonstrate an established business need, minimise any visual or environmental impacts and must not have an unacceptable effect on the natural and cultural heritage of the Park. All related power lines to be undergrounded and alternative sites should be considered. Sharing of masts etc to be used where it represents the optimum environmental solution and any new mast should be capable of being shared. Financial bonds to be used for de commissioning where appropriate.

Policy 6 – Landscape which sets out that there will be a presumption against any development that does not complement and enhance the landscape character of the Park. Where development does not complement and enhance the landscape character, any significant adverse effects must be clearly outweighed by social and economic benefits of national importance and all adverse effects must be minimised and mitigated.

Policy 16: Design Standards for new development applies which sets out the design standards to be met with new development and is supported by supplementary planning guidance in the form of sustainable design guide.

Also of potential relevance is Policy 1: Natura 2000 site given that the site lies to the south of a designated Special Protection Area. This policy basically seeks to ensure there is no adverse effect on the overall integrity of the designated area – in this case however the application site lies outwith the designation and does not relate directly to the qualities of the site

Supplementary Planning Guidance

12. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted. Guidance on Natural Heritage applies here. This guidance sets out how the natural heritage of the National Park will be taken into account when considering development proposals.

CONSULTATIONS

13. **The CNPA Heritage Manager** has been consulted and advises that the site is close to coniferous woodland which it is not expected will be felled for around 20-30 years whereby it will remain as a “backcloth” to the development for the foreseeable future with the trees being of similar height to the development. Viewpoints from the south and east are at considerable distances and the lattice nature of the tower is unlikely to be significant, although the solid nature of the control box will attract the eye. He recommends the following modifications to reduce any impact

- Control box and tower to be coloured dark olive green which is considered appropriate in this particular location set against trees.
 - Juniper planting around the south and eastern sides of the compound, to visually disrupt the appearance of the solid regular form.
14. **Highland Council's Environmental Health Officers** have been consulted and have not provided a formal response at the time of writing.
15. **Highland Council's Roads Officer** advises that the access point onto the public road should be upgraded to provide improved visibility and bellmouth, together with surfacing of first section of the access roadway. A transportation management plan should also be provided to clarify likely traffic movements. Following further discussion the Roads Officer has confirmed that refusal would not be recommended in this case, given the limited vehicle use but the applicant should confirm the level of visibility achievable so that agreement can be reached. Further information from the applicant is awaited at the time of writing and it is anticipated this should be available by the time of the Committee meeting. *(Note: On re visiting the site it is noted that improved visibility could be achieved by cutting back roadside broom. If this was undertaken prior to construction it would help improve safety for construction vehicles which is the time when traffic movements will be increased. The vegetation could thereafter regenerate successfully.)*

REPRESENTATIONS

16. The application has been advertised in the local paper (Strathspey & Badenoch Herald) and no objections have been received.

APPRAISAL

Principle

17. The principle of expanding the communications network complies fully with national and local planning policies and objectives providing environmental impacts are fully considered. The site uses existing services and technical consultees have no adverse comments to date subject to agreement being reached on the level of access improvements to be achieved. Accordingly the key planning issue to be assessed here is the impact upon the environment and whether the development will have any adverse impacts.

Residential Amenity

18. The development is located at a considerable distance from residential properties, with the Environmental Health Service of Highland Council having no adverse comments to date in this case.

Landscape and Environmental Impacts

19. The site lies outwith any specifically designated areas, with the Craigmore Special Protection Area and ancient woodland lying to the north and west of the site. This provides a good visual backdrop which should help the new development to sit better in the landscape. However given the prominence of this woodland area in the wider landscape it is considered that if the mast, and any associated apparatus/structures were coloured green this further mitigate any potential visual intrusion. The applicants are agreeable to this suggestion and, in principle, to the Heritage Manager's suggestion that juniper planting be undertaken around the compound.
20. Introduction of new development always has the potential to change the landscape. However in this case it is considered that the proposed site is indeed the best option of the ones considered by the applicants for siting the mast with site sharing not appearing to be an option here. There is an existing overhead line in the vicinity of the proposed site, whereby there is visual evidence of development and human intervention here. It is also worth noting that this mast may also in the future offer potential opportunities for mast sharing for other operators which may assist in the overall policy objective of minimising visual impacts.
21. In addition the site is not a prominent one as the land rises away from it, with the woodland referred to above providing a good backdrop. The mast will be visible from longer distance views to the west and north but this will be against this woodland backdrop again. Views looking west and south from the site are towards mountain ranges with the application site being distinct from this being part of a flatter area, beside the woodland.
22. With all new development there is potential for disturbance to the immediate environs at the construction stage and adhering to good practise should help ensure minimal disturbance. Suitable planning conditions can be imposed to this end.

Conclusion

23. Communications masts are a necessary component of supporting economic development and communications links in the Park, and it is considered that the proposal will sit comfortably in the landscape here. It is therefore considered to comply with Local Plan policies and approval is recommended subject to appropriate conditions. This mast may also in the future offer potential opportunities for mast sharing for other operators which may assist in the overall policy objective of minimising visual impacts.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

24. The proposed development does not have an adverse impact upon the natural and cultural heritage, not being sited on land covered by any specific designations. The method of construction can help ensure no adverse impact upon the immediate natural environment.

Promote Sustainable Use of Natural Resources

25. The application involves standard communications apparatus which is unlikely to be locally sourced. The application does not as such promote sustainable use of resources, but nor does it result in damage to natural resources beyond initial site construction.

Promote Understanding and Enjoyment of the Area

26. This proposal will help support and improve communication links in the Park and as such will support this objective in terms of the ability of emergency services to communicate effectively and thus support the enjoyment and use of Park by others. As noted in the appraisal section, the relatively discrete location of the site should also help ensure there is no loss of enjoyment of the visual qualities of the Park.

Promote Sustainable Economic and Social Development of the Area

27. The provision of effective emergency services within the Park is essential for the social and economic development and this is highlighted within both the Local Plan and the National Park Partnership Plan. This proposal helps support this objective.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT planning permission for:

- the erection of a 10.5m high slim line lattice tower, 2No. Airwave 8 Element Yagi antennas on boom arms. 2No. 600mm transmission dishes. 1No. equipment cabin, 1No. meter cabinet, 9x6m compound enclosed by 1.2m high timber and pig mesh stock proof fence

Subject to:

- (a) no adverse comments being received from Highland Council Environmental Health (with any requirements incorporated as planning conditions)
- (b) the applicant confirming the extent of access improvements which can be achieved with appropriate roads conditions being then incorporated to ensure that safe access is provided at the construction stage
- (c) the following planning conditions

1. The development to which this permission relates must be begun within 3 years from the date of this permission.

Reason: To comply with Section 58 of the Town and Country (Scotland) Planning Act 1997 or as amended by the Planning etc. Scotland Act 2006.

2. Unless otherwise agreed with the Cairngorms National Park Authority as Planning Authority, the mast and associated apparatus shall be coloured green. Details of the colour to be submitted to and approved by the Park Authority before the development hereby approved is installed

Reason: To ensure that the new development helps to conserve the local landscape, in accordance with Local Plan policies.

3. No work shall commence on site until a construction method statement has been submitted to, and approved by. Work shall thereafter be carried out in accordance with the approved method statement. (The statement shall covers matters such as reinstatement of any ground work/temporary access, arrangements to ensure that material storage is within defined areas, methods to ensure minimal disturbance to local environment and method of dealing with surface water during construction in a sustainable manner)

Reason: To ensure that the new development does not have an adverse environmental impact, in accordance with Local Plan policies.

4. Unless otherwise agreed with the Cairngorms National Park Authority as Planning Authority, within three months of the completion of the development hereby approved the temporary access track shall be removed and the ground reinstated to its former condition as outlined in the construction method statement to be considered under the terms of condition 3 above.

Reason: To ensure that the new development does not have an adverse environmental impact, in accordance with Local Plan policies.

5. Unless otherwise agreed with the Cairngorms National Park Authority as Planning Authority, landscaping shall be undertaken in the first planting season following completion of the development hereby approved in accordance with the following requirements:
- 2.5 metre wide strip of planting to be provided around south and east perimeter of the site comprising juniper bushes planted at a ratio of 2 plants per square meter. Plants must be a minimum of 20cm high and cell grown
 - The planting shall be enclosed by rabbit proof stock fencing. Planting shall be done in accordance with BS 4428:1989 and best practice. Each plant shall be mulched to 75mm depth of bark much to a 600mm diameter circle. This planting shall thereafter be maintained for a period of at least five years with any dying or diseased plants replaced in order to ensure that it becomes established.

Reason: To enable the new development to conserve and enhance the landscape in accordance with Local Plan policies

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1 October 2012

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.