

KEY INFORMATION

Ward Coldsid

Proposal

Proposed erection of 2 X 13.7m tall replica flag poles supporting Vodafone and Telefonica antenna within GRP shrouds plus equipment cabinet at ground level to each

Address

Dudhope Bowling Club
Adelaide Place
Dundee

Applicant

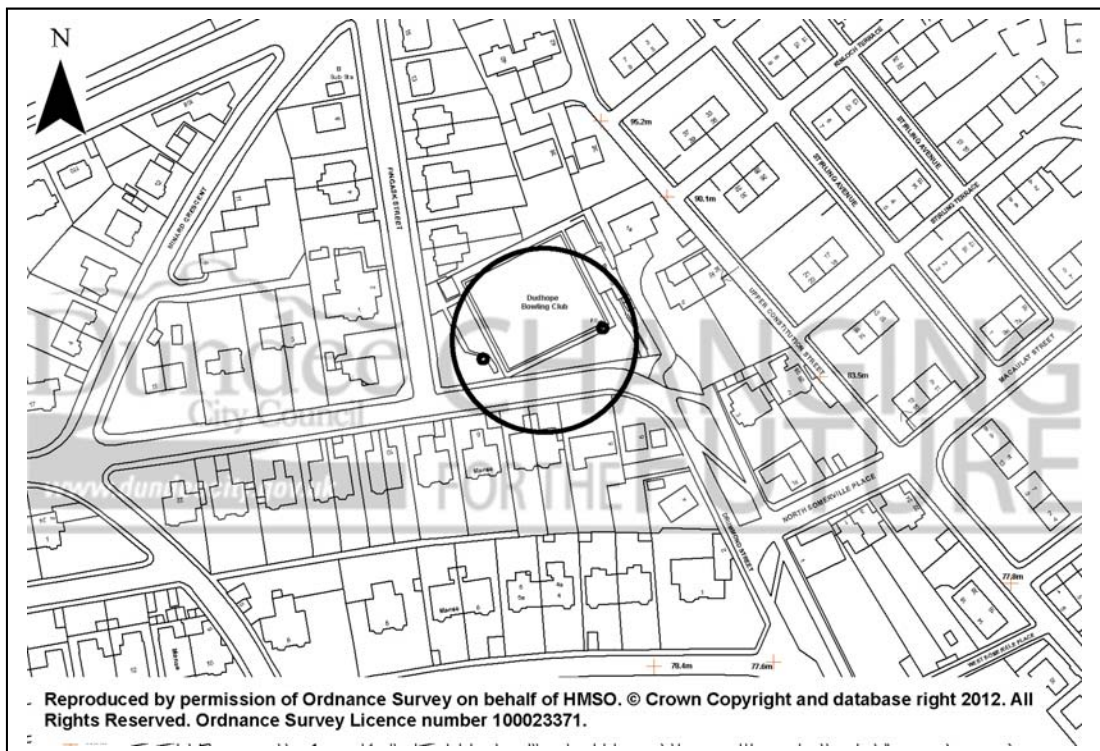
Vodafone/Telefonica The
Connection
Newbury
Berkshire RG14 2FN

Agent

Andrew Swain
A and K Solutions Ltd
31 Churchill Drive
Bishopton PA7 5HF

Registered 2 Dec 2012

Case Officer Eve Young



Flagpole Style Telecom Masts at Dudhope Bowling Club

The proposed erection of 2 X 13.7m tall replica flag poles supporting Vodafone and Telefonica antenna within GRP shrouds plus equipment cabinet at ground level to each is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of City Development.

RECOMMENDATION

The applicant has demonstrated that the application site is technically and visually the most suitable location and the use of replica flagpoles is appropriate. The development complies with the relevant policies in the Dundee Local Plan Review 2005. The objections are not supported and the other material considerations, including National Planning Guidance and the Council's Non Statutory Guidance for telecommunications masts support the approval of the application. The application is therefore recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- This application seeks planning permission for the installation of two 13.7m tall replica flagpole telecoms masts each supporting 3 x 3G antenna within GRP shrouds, one for Vodafone and one for Telefonica, and 1 ground based equipment cabinet and 1 meter cabinet for each mast. The diameter of the structures will be tapered in 3 steps from 219mm to 194mm to 168mm.
- The application is for two sites situated within Dudhope Bowling Club on the northern side of Adelaide Place, at its junction with Drummond Street and Fingask Street. The area lies on the south facing slopes of Dundee Law and is wholly residential. The boundary of the Conservation Area lies to the south and east of the site.
- This is the third application for this site. The first, for two replica flagpoles, had errors in the plans and was withdrawn. The second was for a mast share option for a single large pole which the Council refused as it did not have the appearance of a flagpole.
- 30 objections were submitted by local residents on grounds of ; adverse impact on visual and residential amenity; on the adjoining Conservation Area; design and scale; will be visually dominant; no parking and danger to road users; no need demonstrated; alternative sites have not been adequately discharged; adverse impact on tourism; no community consultation and possible health concerns. The objections are not supported for the reasons given in the report.
- It is considered that the revised design, which proposes two replica flagpoles of a design which has been successfully installed at Broughty Ferry Bowling Club within a Conservation Area, complies with the relevant policies in the Dundee Local Plan Review 2005, with National Planning Guidance and the Council's Non Statutory Guidance for telecommunications masts. The applicant has demonstrated that the site is the most technically suitable and provides an opportunity for a sensitively designed and located option.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for the installation of two 13.7m tall replica flagpole telecoms masts each supporting 3 x 3G antenna within GRP shrouds, one for Vodafone and one for Telefonica, and 1 ground based equipment cabinet and 1 meter cabinet for each mast. The diameter of the structures will be tapered in 3 steps from 219mm to 194mm to 168mm.

The applicant has submitted supporting information in the form of a planning statement, site specific supplementary information, general background information, information on health and mobile phone base stations, coverage plots and the required ICNRP certification.

SITE DESCRIPTION

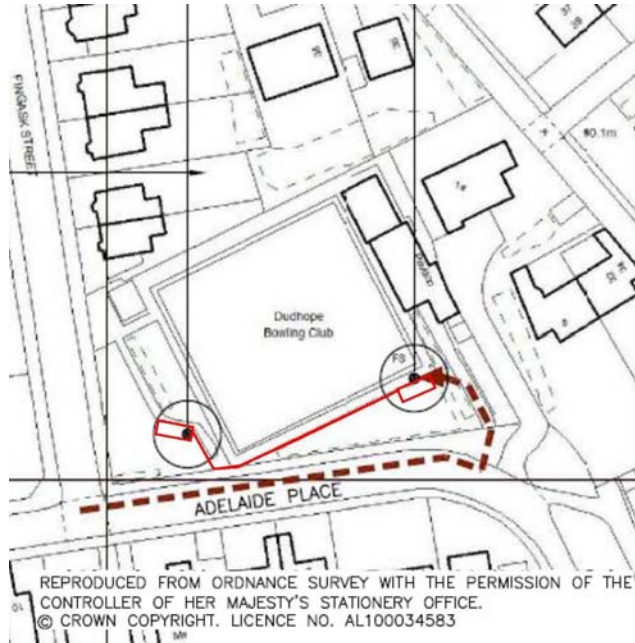
The application is for two sites situated within Dudhope Bowling Club on the northern side of Adelaide Place, at its junction with Drummond Street and Fingask Street. One site is positioned at the south east corner of the bowling green, to the south of the boundary hedge, south of the club house building. There is an existing 6.4 m high flagpole within 2m of this location. The other is located to the west of the bowling green, also outside the boundary hedge. Due to the sloping nature of the location, the south east part of the bowling green is built up approximately 3m above street level and the western site is approximately 1.5m above street level. There is an area of unused open ground to the west of the bowling green to the boundary with Fingask Street.

There is no vehicle access to the south side of the bowling green, but there is an informal area of off street parking on the north side of the road as it curves south into Drummond Street. There is a vehicle access off Fingask Street. Drummond Street to the south and its corner into Adelaide Place has double yellow lines, on both sides, to restrict parking.

The area lies on the south facing slopes of Dundee Law which dominates the City and results in sloping streets and

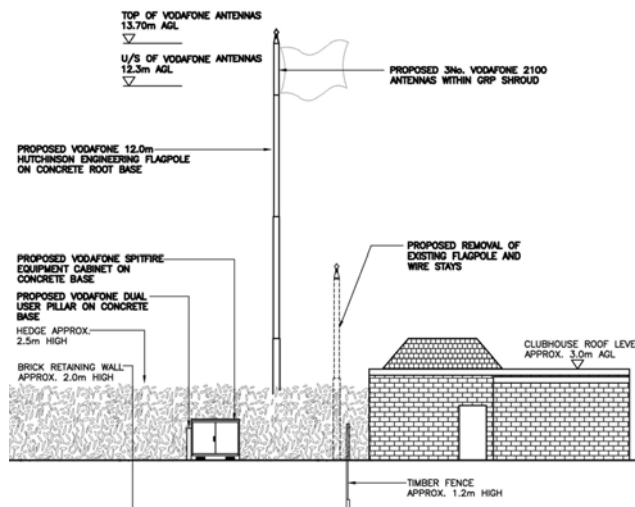
sites with views both up to the Law summit and down to the Tay estuary.

The approach to the site from the west, along Adelaide Place, is bounded by trees to the north as far as the junction with Fingask Street which then changes to the open nature of the wider bowling green site with no trees on the



south or west side of the bowling green complex.

From the south, up Drummond Street, the street is fairly narrow and enclosed by trees on the east until the turn into Adelaide Place where the open nature of the bowling green site on the higher ground to the north contrasts with the garden walls and villas to the south.



From the north, down Fingask Street, the ground is steeply sloping giving views across the houses to the Tay estuary. As the slope levels out towards the junction with Adelaide Place, the bowling green is an open

area to the west with the existing flagpole clearly visible.

The surrounding area is wholly residential comprising stone built villas to the south, west and north and a mix of older stone houses with later more modern infill development to the east.

The boundaries of the bowling club site are formed by high walls of approximately 2m with a traditional hedge around the actual green.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan 2005

The following policies are of relevance:

Policy 1: (Vibrant and Sustainable Communities).

Policy 78: (Location of Telecommunications Equipment).

Policy 66A: Protection Of Playing Fields And Sports Pitches.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

The Scottish Planning Policy 2010

PAN 62: Radio Telecommunications.

Non Statutory Statements of Council Policy

The following policy statements are of relevance:

Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2007.

SUSTAINABILITY ISSUES

There are no specific sustainability policy implications arising from this application.

SITE HISTORY

10/00735/FULL was withdrawn by the applicant on 26 January 2011. This application had sought planning permission for the installation of 2 x 13.75m replica flagpoles and 2 equipment cabinets at this bowling green. One mast was to serve Vodafone and the other mast to serve O2 customers. The plans submitted were inaccurate and required a new application. The masts were to be erected on the same sites as this current application.

11/00395/FULL sought planning permission for the installation of a 15m tall replica flagpole telecoms mast supporting 3 Vodafone and 3 Telefonica 3G antenna within a GRP shroud and 2 ground based equipment cabinets at the Bowling Club. It was to be located at the south east corner of the bowling green. The structure was to be 324mm in diameter and was not considered to look like a replica flagpole. 38 objections were received.

The proposed mast was considered to be contrary to Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005 by virtue of scale, design, massing and location and did not comply with the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2007.

The application was refused by the Development Management Committee on 24 October 2011.

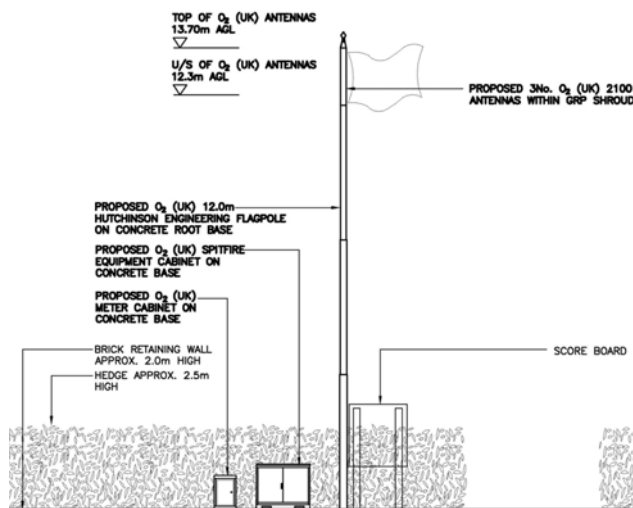
PUBLIC PARTICIPATION

The Council has followed the statutory neighbour notification procedures stipulated by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. This resulted in 8 neighbouring residential properties being notified of the proposed development.

30 objections have been received on the following grounds:

- adverse impact on visual amenity;
- adverse impact on residential amenity;
- adverse impact on the amenity of the adjoining Conservation Area;

- design and scale, the proposed replica flagpoles are twice the height of the existing flagpole



and will be visually dominant as there is no screening;

- no parking available and construction and maintenance traffic will cause danger to road users;
- according to the web sites of the applicants, O2 is top rated service and Vodafone is reliable in this area. No need has been demonstrated;



- alternative sites have not been adequately discharged. Other suitable sites dismissed without good reason;
- adverse impact on tourism route to the Law;
- no community consultation was carried out; and
- possible health concerns and fear of health concerns.

Members will already have had access to these submissions and the points

raised are considered in the "Observations" Section of this Report below.

CONSULTATIONS

No adverse comments have been received from Consultees.

OBSERVATIONS

25 of the Act provides that an application for planning permission (other than for a national development) will be determined in accordance the development plan unless other material considerations indicate otherwise.

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

Policy 1: Vibrant and Sustainable Communities - "The City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell."

Layout and Design - in terms of layout and design, the proposed telecommunications masts will be 13.7m in height and be located within Dudhope Bowling Club in elevated locations. They will be very dominant features visually

above Adelaide Place and the southern end of Fingask Street.

As noted in the site description, the bowling club provides a large open space within this residential area. The masts will be very obvious features when viewed from the approaches to the site. There are no opportunities for effective mitigation of the structures.

The masts are replica flagpoles which taper in 3 steps from 219mm to 194mm to 168mm diameter. They are designed to carry a flag. They will be more than twice the height of the

existing flagpole which is approximately 6m high. The supporting statement advises that the location is away from as many sensitive viewpoints as possible providing flagpoles commonly found within bowling clubs and other sports grounds.

It is considered that the application seeks to minimise the adverse impact of the development by reason of the design of the proposed masts.

Parking and traffic movement - in terms of traffic movement and parking issues, there is limited, informal off street parking close to the site but on street parking is available in both Adelaide Place and Fingask Street which can accommodate occasional maintenance vehicles. Vehicles should not park where there are restrictions but this is a police rather than a planning matter. The agent indicates that the average time for the stationing of a crane involved in the installation of a mast is 2/3 days although complete installation may take 4-6 weeks overall. Maintenance is carried out once or twice a year by an engineer. As with any development the contractor is required to make appropriate traffic management arrangements. Accordingly, it is considered, that there are no issues with regard to traffic movement and parking issues sufficient to justify refusal of the application.

There are no issues with regard to noise or smell.

Taking the above factors into account it is concluded that the proposed masts will appear to be flagpoles which are typical of bowling greens or similar sports grounds. The height of the masts has been reduced to the minimum which will allow them to operate and provide the services for which they are installed. The design seeks to minimise the adverse impact on the level of environmental quality afforded to neighbouring properties as required by the policy and it is considered that the proposals comply with Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005.

Policy 78: Location of Telecommunications Equipment - "Where appropriate, proposals for telecommunications equipment will be encouraged to mast share. Where the operator can demonstrate to the

satisfaction of Dundee City Council that mast share is not a feasible proposition, then alternative solutions in terms of location and design, will be assessed with the objective of minimising the environmental impact on the City.

Dundee City Council's supplementary guidance (as amended August 2003) will be a material consideration in the determination of applications for telecommunications developments. This guidance complies with National Planning Policy Guideline 19 and Planning Advice Note 62."

A previous application for a mast share option was refused by the Development Management Committee on 24 October 2011. The operator has concluded that this location is not suitable for a mast share option and has submitted the current proposal for two replica flagpole masts. If the City Council is satisfied that mast share is not a feasible proposition, the



application should be assessed with the objective of minimising the environmental impact of the development.

As noted above, the masts are designed as replica flagpoles to minimise the environmental impact. Whilst they are more than twice the height of the existing small flagpole, it is considered that they will appear to be flagpoles and this will meet the requirement of the policy.

This Policy also states that the Council's supplementary policies ("Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus") will be a material consideration in the determination of planning applications for telecommunications developments. These policies are referred to below in

the section of this report headed Other Material Considerations.

It is considered that the proposal complies with Policy 78 (Location of Telecommunications Equipment) of the Dundee Local Plan Review 2005.

Policy 66A Protection Of Playing Fields And Sports Pitches - Policy 66A is not supportive of proposals that would effectively remove designated sports pitches and playing fields. The application sites are very small and the proposal would not impinge upon the sports function of the ground. Therefore, the proposal is not in breach of policy 66A.

It is concluded from the foregoing that the proposals comply with the provisions of the Development Plan.

Other Material Considerations

The other material considerations to be taken into account are as follows:

A - Supplementary Planning Guidance

Non-statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2007.

Policy 1: there should be an assessment of the operational justification, alternative sites, the options for mast sharing or use of buildings and the environmental impact in relation to statutorily designated protection or other sensitive area as outlined in Local Plan policies.

The agent has provided detailed explanation of the technical issues applicable to this site as follows:

"Mobile phone base stations have the capability to communicate with multiple base stations whenever they are located in the fringe areas covered by overlapping base stations. However, it is not desirable for an overlap area to contain signals from a large number of base stations. As this would create pilot pollution interference and overload the base station.

Whilst this site has the possibility of causing pilot pollution to a large area and impacting on Dundee City due to its height it does so to lesser degree than other options whilst maintaining a good degree of coverage into the target area."

"The location is such it gives a good distribution of sites across the area hence minimising the number of sites required."

The applicant notes that this is the 3rd application on this general site. Following the first application, a number of additional sites were suggested and investigated. These were included in application 11/00385/FULL for the mast share option which was refused. Further consideration of the alternative sites has been provided in the light of the Committee Report for application 11/00395/FULL and objection letters sent in response to that application.

In accordance with the technical criteria, the alternative sites were investigated and the application property, listed as No 1 in the alternative sites, was chosen as the preferred site.

The alternative sites which were discounted by the applicant for the reasons described by them were:

- 1 St Davids High Kirk, Kinghorne Road, Dundee DD3 6PW

The use of a replica flagpole on the church tower was suggested but would further increase the height in relation to the surrounding area. This location is too high, and there is little opportunity to use the surrounding clutter to control and contain the coverage from this location.

- 2 Streetworks, Minard Crescent

Proposed street furniture location identified but it lies within a residential area where there is a general presumption against such locations unless the proposal is sensitively sited and designed. It is suggested that the 2 replica flagpoles are sensitively sited and designed in the location proposed.

- 3 Streetworks Adelaide Place

Proposed street furniture location identified but it lies within a residential area where there is a general presumption against such locations. It is suggested that the 2 replica flagpoles are sensitively sited and designed in the location proposed.

- 4 Adelaide, Albany, Douglas, Dudhope Terrace Area

Highly residential; adopted footpaths restricted in width with underground services; within Conservation Area.

- 5 Drummond Street, Upper Constitution Street.

Highly residential; adopted footpaths restricted in width with underground services; within Conservation Area.

- 6 Minard Crescent, Wishart Street, Kinloch and Stirling Terrace areas

Highly residential, footpaths restricted in width or no footpaths and most not adopted. Technically less suitable due to pollution of other mast operations compared to chosen option.

- 7 Allotments Law Road

It was considered that any development in this area would have a significant impact upon the Law, this location is too high polluting to a large area and there is little to no opportunity to use the surrounding clutter to control and contain the coverage from this location. This location has been discounted for technical reasons.

- 8 Existing Mast (Police Emergency Services)

This site would pollute a large area of Dundee in all directions, it is the highest point with uninterrupted views of Dundee, a site in this location would pollute a very large area hence interfere with a significant numbers of sites throughout Dundee.

- 9 Dudhope Park

The site is owned by the City Council which has policies against location in public parks. This site would not provide coverage to the north east and into the Hilltown as effectively as the proposed site and does not cover housing to the north at the foot of Dundee Law. It would also represent poorer site coverage potentially increasing the requirement for more sites.

- 10 Dudhope House/Grounds

Owned by NHS Tayside which does not allow telecommunications on their land or property, the site is within a

Conservation Area. The terrain limits coverage to the north east and into the Hilltown and is not as effective as the proposed option. It would also represent poorer site coverage potentially increasing the requirement for more sites.

- 11 48 Adelaide Place.

A vacant site where planning permission was refused for 4 dwellings. This site would not provide coverage to the north east and into the Hilltown as effectively as the proposed site and does not cover housing to the north at the foot of Dundee Law. It would also represent poorer site coverage potentially increasing the requirement for more sites.

The applicant concludes that the application site is the best for both technical and environmental reasons.

There are particular technical requirements for such infrastructure which is affected by the topography, scale and pattern of buildings or tree cover prevalent in an area. This restricts the acceptable options available.

The applicant's agent has submitted the necessary ICNIRP Certificate with regard to the operation of the mast and a statement of justification in support of the application.

The assessment against Policy 1 of the Dundee Local Plan Review 2005 as detailed above considers that the development complies with the policy as the height of the masts have been reduced to the minimum which will allow them to operate and the design, using two replica flagpoles, seeks to minimise the adverse impact on the level of environmental quality afforded to neighbouring properties.

It is concluded that the proposals comply with the requirements of Policy 1 of the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2007.

Policy 2: there will be a general presumption against free standing masts and ground based apparatus within or immediately adjacent to residential areas. However, exceptions to the general presumption may be made where the proposal is sensitively sited and designed and where the

operator has demonstrated that it is the most appropriate location.

As considered under Policy 1 of the Adopted Local Plan, the masts are sensitively sited and designed and are acceptable in this particular location. The operator has also demonstrated that this is the most appropriate location from a technical point of view having considered 12 alternative sites.

The proposals therefore comply with the requirements of Policy 2 of the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2007.

Policy 7: Public Parks and Public Open Spaces - there will be a presumption against the location of telecommunications masts and related apparatus within areas of open space.

The application sites are located within a prominent area of open space. The telecommunications installations by virtue of the design to replicate 2 flagpoles will not adversely affect the appearance of the Bowling Club and the surrounding residential area as they are features commonly found in such a location. The proposals therefore satisfy the requirements of Policy 7 of the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2007.

Policy 15: Mast Sharing and Design Issues. The Council will encourage opportunities for mast sharing subject to satisfactory location and design and innovative approaches to mast design will be encouraged.

Justification has been provided to explain why a mast share option is not appropriate at this location. A previous mast share option was refused planning permission. The proposal seeks planning permission for two telecommunications masts which are replica flagpoles, designed to carry a flag. The council considers, for the reasons given above, that the scale, massing and design of the proposed masts in relation to the surrounding area are considered to be acceptable in this location.

The proposals comply with requirements of Policy 15 of the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2007.

It is concluded that the proposed development complies with the relevant policies contained within the Council's Non Statutory Planning Policies in Relation to Telecommunications and Other Apparatus Nov 2007.

B - National Policy and Guidance

SPP 2010 and PAN 62 require telecommunications equipment to be designed and positioned as sensitively as possible.

It is considered that the preceding observations demonstrate that this requirement has been met in this particular case.

C - Supporting Information

The applicant submitted site specific supplementary information as well as a supporting statement.

The supporting statement provides a general background to the 2G and 3G operational context between Telefonica 3G and Vodafone and how this relates to the proposed telecommunications development and the site selection process. It details the ever increasing demands for data transfer now being generated by smart phones and laptop computers. Ownership of smart phones increased from 13% of the adult population in Jan 2010 to 31% in Jan 2011 with a further 5% increase to 36% by June 2011. The proposed site will provide high quality indoor coverage and download speeds expected by customers and the Government.

The statement justifies the design and the location of 2 flagpoles within the grounds of the bowling club of the same style as installed at Broughty Ferry Bowling Club.

Additional alternative sites suggested in the previous application report were investigated as detailed above and the application site is the most acceptable for technical and environmental reasons.

The statement points out that national planning guidance contained within the SPP supports proposals which contribute to economic growth including the expansion of the electronic communications network.

The Council comments that the National Planning Guidance does not set aside the provisions of the development plan and the current

application does, as a result of the amended design and the revised and extended site selection process, meet the requirements of the statutory and non-statutory policies.

It is concluded that the supporting statements do demonstrate that the design of the proposed telecommunications masts and their location are acceptable.

D - Objections

38 valid objections were received on the following grounds:

- adverse impact on visual amenity;
- adverse impact on residential amenity;
- adverse impact on the amenity of the adjoining Conservation Area;
- design and scale, the proposed replica flagpoles are twice the height of the existing flagpole and will be visually dominant as there is no screening;
- no parking available and construction and maintenance traffic will cause danger to road users;
- according to the web sites of the applicants, O2 is top rated service and Vodafone is reliable in this area. No need has been demonstrated;
- alternative sites have not been adequately discharged. Other suitable sites dismissed without good reason;
- adverse impact on tourism route to the Law;
- no community consultation was carried out; and
- possible health concerns and fear of health concerns.

It is considered that the issues of visual and residential amenity; the design and scale of the proposed masts and alternative sites have been discharged elsewhere in the report.

The sites do not lie within the Conservation Area but are close to it and the proposed masts would be clearly visible in many views into and out of the mature residential area which it comprises. The requirement to preserve or enhance the character or appearance within the Conservation

Area as defined by Policy 61 of the Dundee Local Plan cannot be applied in this situation. The impact on the visual and residential amenity of the houses which happen to lie within the Conservation Area has been addressed. The proposed cabinets are similar to the cabinets required for telephones and other infrastructure provision which are very common around the City and become part of the streetscape.

The SPP states that planning authorities should not question whether the service to be provided is needed but must determine applications on planning grounds. However appeal decisions have supported the provision of high quality 3G provision as a material consideration and the telecommunications network is supported in the SPP. It is concluded that need can be a material consideration and that in this case, the objections are not supported.

Adverse impact on tourism route to the Law. The proposed masts are designed to replicate flagpoles and can fly a flag. Flagpoles are common at bowling clubs and it is considered that the revised design is acceptable and will not have an adverse impact on the City as perceived by tourists.

No community consultation was carried out. There is no statutory requirement for the applicant or the City Council to carry out community consultation. This is not a major application under the terms of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2009 which would require pre application consultation. The Council has followed the statutory neighbour notification procedures stipulated by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. This resulted in 8 neighbouring residential properties being notified of the proposed development. The agent notes in the Site Specific Supporting Information that on 16 November 2011, emails were issued to Councillors and the Community Forum and letters sent to more than 20 surrounding local residents, an MP and an MSP.

Scottish Planning Policy states that in order to demonstrate that known health effects have been properly addressed, applications should be accompanied by

an ICNIRP certificate. This application has an ICNIRP certificate.

It is concluded that the objections are not supported for the reasons given.

E - Appeal Decision - Broughty Ferry Bowling Club, Albert Road, Dundee

Reference has been made to the flagpole masts at the bowling club in Albert Road and Members are advised of the following details.

The application 05/01010/FUL was for a 14 metre high flagpole telecommunications mast with 3 antenna and 2 ground based equipment cabinets. 4 objections were received and the application was refused by the Development Management Committee on 23 January 2006. The site lies within the Grove Conservation Area and it was considered, amongst other reasons for refusal, that the mast would not appear convincing as a flagpole. Planning permission was granted on appeal on 23 October 2006. The reporter considered that the alternative sites had been exhausted, the impact on the Conservation Area was neutral because of the design chosen and that the provision of 3G coverage was the policy of successive Governments which was a strong material consideration.

The mast was installed and a further application for a second flagpole mast was approved in 2010 under delegated powers as there were no objections (10/00474/FULL).

Design

The proposed masts are designed to replicate flagpoles and are of a type which have been successfully installed elsewhere in the City in a Conservation Area.

CONCLUSION

This is the third application for telecommunications equipment to be installed at this site. The first application, for two replica flagpoles, had errors in the plans and was withdrawn whilst the operator investigated alternative options. The second application was for a mast share option for a single pole which the applicant described as a replica flagpole. However it was refused by the Development Management Committee as its scale and design was

such that it did not have the appearance of a flagpole and that alternative sites had not been thoroughly investigated. Further clarification of the reasons why this site has been chosen has been provided in this application. This third application proposes two replica flagpoles which taper and are of a design which has been successfully installed at Broughty Ferry Bowling Club within a Conservation Area.

National and Council policies support the development of a modern communications network to allow the City to develop economically and socially. The significant expansion of new technology in the form of smart phones, tablets and laptops requires the infrastructure to allow these devices to operate at high speed and allow data downloads both at home and on the move. There are particular technical requirements for such infrastructure which is affected by the topography, scale and pattern of buildings or tree cover prevalent in an area. The applicant has demonstrated that the alternative sites which have been investigated are either technically less suitable or do not provide the opportunity for sensitively designed and sited structures when compared to the opportunity to locate replica flagpoles at this bowling club.

However this must be balanced with protection of the environment of the City. This site lies within a high quality residential area on the southern slopes of Dundee Law. It lies close to the boundary of a Conservation Area so designated because of its historic and architectural quality. The installation of standard, street works style, mobile phone masts would be likely to have an adverse impact on the visual amenity of the area. However, the bowling club provides an opportunity to provide disguised masts in the form of two replica flagpoles. It has been demonstrated elsewhere in the City that such a design can be successfully installed in such a location.

On balance, it is concluded that the applicant has demonstrated that the application site is technically and visually the most suitable location for telecommunications masts to serve this difficult location. The use of replica flagpoles is appropriate within the grounds of a bowling club. The development complies with the relevant policies in the Dundee Local

Plan Review 2005. The objections are not supported for the reasons given in the report and the other material considerations, including National Planning Guidance and the Council's Non Statutory Guidance for telecommunications masts support the approval of the application.

RECOMMENDATION

It is recommended that consent be GRANTED subject to the following condition:

- 1 In the event that the equipment becomes obsolete or redundant, it must be removed and the sites reinstated to the satisfaction of the Planning Authority within 6 months of the redundancy.

Reason

- 2 To protect the amenity of the area.