

## 5 PLANNING APPEAL DECISION (AN148-2012)

### **Whitfield Parish Church, Haddington Crescent, Dundee Erection of 6 Face Mounted Telecom Antennas on Building**

Reference is made to Article I(e) of the minutes of meeting of this Committee of 19 March 2012 wherein the above proposal was refused planning permission, contrary to the Directors recommendation, because the Council considered that:

- i the proposed antenna by virtue of their design, location and finish will appear as obvious and unsympathetic additions to the existing Whitfield Parish Church building and therefore will adversely affect the appearance of the existing Church building. The proposals are contrary to the requirements of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005 and Policies 1 and 15 of the Council's Non-statutory Planning Policies in Relation to Telecommunications and Other Apparatus November 2007. There are no other material considerations that would justify laying aside the provisions of the Development Plan to grant planning permission; and
- ii by virtue of design, location and finish the proposed antenna shall have an adverse impact on the visual amenity of the existing Whitfield Church building and consequently the outlook of neighbouring residential properties. The proposals are therefore contrary to the requirements of Policy 1 (Vibrant and Sustainable Communities) of the Dundee Local Plan Review 2005. There are no material considerations that would justify laying aside the provisions of the Development Plan to grant planning permission.

The decision was appealed by the applicant under the provisions of Section 47 and Schedule 4 of the Town and Country Planning (Scotland) Act 1997.

The appeal was determined by written representations and the decision was received by the Council on 13 August 2012. Copies of the Reporter's decision letter have already been circulated to Members by e-mail.

The Reporter ALLOWED the appeal and granted planning permission.

In reaching his decision the Reporter considered that the determining issue was whether the proposal would significantly harm the appearance of Whitfield Parish Church or the visual amenity of the area.

He noted the support in Government and Council policy for telecommunications but only where equipment is sensitively sited and designed. He considered that the appellants had given sound reasons for rejecting 11 alternative sites. He regarded the design of the Church as functional and that although the antennae and cable trays would stand proud of the bell tower, their narrow form and camouflage finish would disguise them and minimise their visual intrusion. He therefore concluded that there would be no significant harm to the appearance of the Church.

As only the gable walls of the nearest houses faced the Church he felt there would be little impact on these properties and as there were trees and an electricity pylon nearby he felt there would be a minimum visual impact on the wider area.

He noted that the proposals involved equipment sharing by 2 operators and he concluded that the proposal complied with Policy 78 of the Development Plan on telecommunications equipment and the Councils non-statutory policies on telecommunications development. He further concluded that they would not conflict with the aims of regenerating the area and were consistent with Government policy and advice.