

6 PLANNING APPEAL DECISION (AN16-2009)

1 HERON RISE (SELECT FIREPLACE CO LTD) - FIXING OF THREE ANTENNAE TO BRICK CHIMNEY STACK, ASSOCIATED HOUSING AND ANCILLARY DEVELOPMENT

Reference is made to Articles I(s) and I(t) of the minute of meeting of this Committee of 21st April, 2008 wherein the above proposal was refused planning permission and listed building consent because the Council considered that the proposal would have a detrimental impact on the character and appearance of the conservation area and on the Category A listed structure to which the antennae and other apparatus would be applied (Policies 60 and 61 of the Dundee Local Plan Review 2005 and Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997).

The decisions were determined by written representations and the decisions were received by the Council on 5th January, 2009. Copies of the Reporter's decision letter dealing with both appeals jointly have already been circulated to Members by e-mail.

The Reporter **UPHELD** both appeals and granted planning permission and listed building consent with conditions relating to the colour of the antennae and exposed cables; the concealment of the cable routes within the chimney and details of the methods of fixing.

In reaching his decision, the Reporter considered that the historic setting of the chimney in the conservation area had already been compromised by surround housing and that the antennae and cable trays could be disguised in a manner which could be covered by condition. The issue of health impact raised by local residents had been discharged by the submission of an ICNIRP certificate and there was no evidence that television reception would be affected. The Reporter also considered that if a degree of concealment was introduced the impact on the Category A listed building could be further mitigated.