

KEY INFORMATION**Ward** Broughty Ferry**Proposal**

Installation of 1 no 2G antenna within enlarged GRP flue, 2 no fascia mounted antennas, 2 no equipment cabins to rear, removal of support to existing GPS antenna, reduction in girth of existing airwave antenna supports and associated ancillary development.

Address

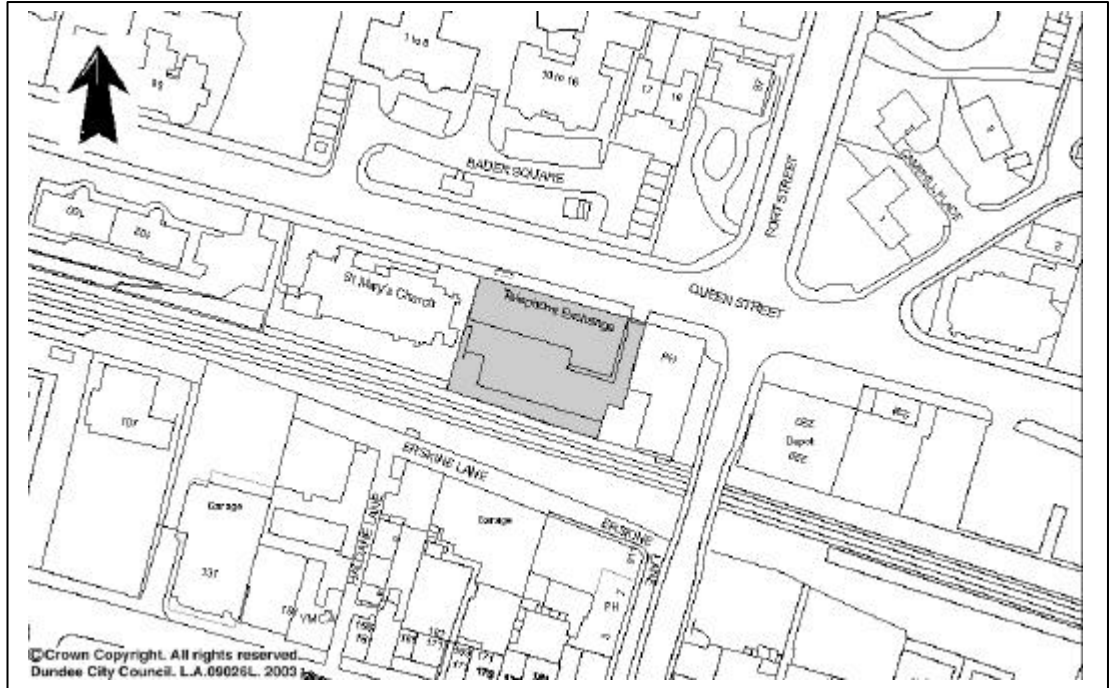
Telephone Exchange
Queen Street
Broughty Ferry

Applicant

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Agent

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Registered 13 Oct 2005**Case Officer** C Walker

Proposed Mobile Phone Antennae in Broughty Ferry Telephone Exchange

The installation of 3 antennae is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

SUMMARY OF REPORT

- Planning permission is sought to erect 3 antennae on the roof of the Broughty Ferry Telephone Exchange for T Mobile. The antennae are some 1.3 metres in height and it is proposed to conceal 1 antenna within a GRP flue at the eastern end of the building and to face mount and disguise the other 2 antennae.
- There are 3 existing sets of antennae on the building which is in the Grove Conservation Area. To the west is the Category B listed St Mary's Church.
- Policy 78 of the Local Plan and the Councils supplementary guidance set out criteria for the location of telecommunications equipment.
- A letter of objection was received on behalf of St Mary's Episcopal Church stating concerns about the visual impact of the proposal as well as potential noise and interference to the church sound system from the proposed equipment cabins.
- The proposals comply with policy and will not detract from the visual amenity of the area.

RECOMMENDATION

The proposal complies with the Development Plan and National Policy, will not detract from the visual amenity of the area and is therefore recommended for **APPROVAL**.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect 3 additional antennae on the roof of the building and 2 equipment cabinets at ground level to the rear of the building. The equipment is required by T Mobile for 2G coverage. The antennae are some 1.3 metres in height and it is proposed to conceal 1 antenna within a GRP flue at the eastern end of the building (by slightly enlarging an existing flue) and to face mount the other 2 antennae, 1 on rear elevation and 1 on the west elevation close to the north west corner of the building. It is proposed to paint both these antennae white to match the building and to shroud the associated cabling in a GRP tray cover to match the building.

The proposed ground based equipment cabinets are small (some 1.5 and 0.4 cubic metres respectively), which is just a fraction of the size of the existing cabinets at this location.

In recognition of the fact that there is a considerable amount of telecommunications apparatus on the roof of this building, the applicants also propose to improve the appearance of the existing MmO2 Airwave equipment by removing 1 support pole and reducing the diameter of the other 2 poles and also by covering and painting an existing cable tray on the east elevation of the building to match the facade to which it is attached.

The applicants have submitted a supporting statement in which they draw attention to the proposals for screening the proposed antennae and for reducing the impact of existing equipment. They set out the benefits of mobile communications and illustrate by maps the gaps in coverage that would be remedied by the proposed antennae (effectively an area of Broughty Ferry from Ellieslea Road in the west to Whinny Brae in the east and as far north as Fintry Place/Blake Avenue).

They suggest that their proposals are in compliance with National and Development Plan policy, and that the site was carefully selected and the equipment designed to minimise any impact on the surrounding area including the listed St Mary's Church to the west and the wider Grove Conservation Area. They list 10 alternative sites that they considered

but which were rejected for various reasons including technical difficulties, greater obtrusiveness, proximity to schools or dwellings and owner reluctance. These sites are the O2 Mast at Claypotts, Gullistan Restaurant, St Stephen's and West Church, St Aiden's Church, street works monopole on Queen St, Woolworths, Broughty Ferry Library, Broughty Castle, Grove Academy and Hotel Broughty Ferry.

Finally the applicants have submitted an ICNIRP certificate indicating that the proposals comply with the relevant guidelines on public exposure to emissions.



SITE DESCRIPTION

The site comprises Broughty Ferry Telephone Exchange including a rear service yard and car park. The telephone exchange is a modern building with a flat roof and appears as a 2 storey building on a plinth from Queen Street and a 3 storey building from the rear. There is a split in level with the stair tower sitting at a half level below the main building. The principal finishing material is a white smooth render.

There is a chimney and some roof plant on the roof above the stair tower. There is telecommunications equipment on the building in the form of 3 antennae strapped to the chimney (O2), 3 separate antennae on the roof, which have been shrouded to resemble chimneys (H3G) and finally 3 aerials (MmO2 Airwave).

To the east of the site is the Post Office Bar, a 2 storey stone and slate building which is Category C listed. To the west is the Category B listed St Mary's Church. To the north, on the opposite side of Queen Street, is a dwelling at

97 Fort Street and the Bader Square housing development. To the south of the site is the Dundee to Aberdeen railway and then commercial premises on Erskine Lane.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan Review 2005

Policy 1: Vibrant and Sustainable Communities - The site is in an existing housing area and this policy seeks to protect the environmental quality enjoyed by local residents.

Policy 55: Urban Design - All development should respect the setting of listed buildings.

Policy 61: Development in Conservation Areas - Proposals should preserve or enhance the character of the surrounding area.

Policy 78: Location of Telecommunications Equipment - In general, operators are encouraged to share existing masts in order to minimise the

environmental impact on the city. Where mast share is not feasible alternative solutions will be assessed with the objective of minimising the environmental impact on the city. The policy adds that the Councils supplementary guidance on masts will be a material consideration.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following are of relevance:

National Planning Policy Guidance 19: Radio Telecommunications

This national guidance emphasises the importance of establishing good communication and trust between operators and planning authorities and encourages pre-application discussions to determine the most appropriate siting and design approaches. It acknowledges the benefits of modern telecommunications and seeks to encourage such development as being essential to a modern economy and contributing to sustainable objectives.

It states that health issues are covered by other legislation. It gives advice on the siting and design of masts, referring to PAN62.

Planning Advice Note 62: Radio Telecommunications

This provides best practice advice on the process of site selection and design and illustrates how the equipment can be sensitively installed.

Non Statutory Statements of Council Policy

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

The following are of particular relevance:

Policy 1: There should be an operational justification for the location and design of the proposal including an assessment of the cumulative impact of individual proposals where other telecommunications developments are present nearby.

Policy 12: Rooftop masts, antennae and other structures on unlisted buildings in conservation areas will be acceptable where their location and design is such that the character of the building and the surrounding area is complemented and enhanced and residential amenity is not compromised.

LOCAL AGENDA 21

Key Theme 7 requires that access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all.

SITE HISTORY

Planning permission was granted for 3 BT Cellnet antennae (now O2) on the chimney in February 2000 - application ref. no D24320 refers. This consent has been implemented.

Planning permission was granted for 3 antennae for (H3G) to be concealed as small chimneys in April 2002 - application ref. no 02/00273/FUL refers. The poles have been erected and the shrouds to mask them as chimneys.

An application was made by Crown Castle in October 2003 for three antennae on the rooftop. It was being referred to Committee with a

recommendation for refusal and was subsequently withdrawn by the applicant in December 2003 - application ref. no 03/00752/FUL refers.

Planning permission was refused on 30th August 2004 for the erection of 3 antennae for MmO2 Airwave on the rooftop of the telephone exchange by Crown Castle - application ref. no 04/00134/FUL refers. This decision was appealed and permission was granted on appeal in February 2005.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and the proposal was advertised as affecting the setting of the conservation area. A letter of objection was received on behalf of St Mary's Episcopal Church to the west of the site, stating concerns about the visual impact of yet more antennae on the building as well as potential noise and interference to the church sound system from the proposed equipment cabins (copies available for inspection in the Members Lounges). These concerns are considered in the Observations section of this Report.

CONSULTATIONS

The Head of Environmental Health and Trading Standards was consulted in connection with the noise issue referred to in the letter of objection. He has noted that there are no residential properties close to the site. Since ambient noise levels in the area during the daytime are high, he states that it is likely that any noise from equipment cabinets will be masked. Finally he notes that there have been no complaints about the existing equipment cabinets on the site or any in connection with equipment cabinets for other mobile phone installations elsewhere.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations.

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 is a general policy protecting residential amenity and the issues set out in this policy are fully considered in the assessment of the development against Policy 78 of the Plan. Similarly Policy 61 on development in Conservation Areas can be more fully considered in the assessment of the development against Policy 78.

Policy 78 gives general guidance on the location of telecommunications equipment as well as more specific guidance by the incorporation of the Council's supplementary guidance on masts as a material consideration.

Policy 78 encourages mast sharing and in this case the proposal is in the form of mast sharing by using a building which has already been developed to a considerable extent for telecommunications apparatus.

The proposal can now be assessed in terms of the Council's Non Statutory Policies, which are a material consideration in terms of Policy 78. An operational justification has been provided as required by Policy 1 and ten alternative sites (listed in the Site Description section of this Report) have been considered and rejected. Since the proposal involves a building where there are existing telecommunications antennae then this would normally be seen as an obvious location for further development. However Policy 1 also requires an assessment of the cumulative visual impact of the existing and proposed antennae. In this case, there are already 3 sets of antennae on the rooftop. However it is considered that the cumulative impact of the additional antennae will not be significant for the following reasons:

- a Only 2 antennae will be readily visible because the third will be located within an existing chimney type structure.
- b Of the 2 antennae that will be visible, 1 will be on the rear elevation and both will be screened against the face of the building by painting them white and disguising the cable trays
- c Overall benefits will result from the proposed improvements to

existing antennae supports and a cable tray.

Policy 12 states that rooftop masts, antennae and other structures on unlisted buildings in conservation areas will be acceptable where their location and design is such that the character of the building and the surrounding area is complemented and enhanced and residential amenity is not compromised. For the reasons set out in Points a-c above it is considered that at worst the proposed development will have a neutral impact and as such will serve to preserve the visual amenity of the conservation area.

Policy 55 states that all development should respect the setting of listed buildings. In this case the BT Exchange is sited between 2 listed buildings and 1 of the proposed antennae is on the west face close to the Category B listed St Mary's Church. However the impact of a single antenna, some 1.3 metres high, set against the face of the telephone exchange and painted to match the colour of the building with the cable tray disguised on the nearby listed building will be negligible.

It is concluded that the proposal complies with the Development Plan.

Other Material Considerations

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

- a Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications that affect the setting of listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

This matter has already been considered in the assessment of the proposed development under Policy 55 of the adopted Local Plan and it was considered that the proposal would not detract from the setting of the adjoining listed buildings.

- b Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities, in considering applications in conservation areas

to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

This matter has already been considered in the assessment of the proposed development under Policies 61 and 78 of the adopted Local Plan and it was considered that the proposal would preserve the character and appearance of the adjoining conservation area.

c The Concerns of the Objector

The concerns about the impact of the proposals on the listed church have already been considered in the assessment of the proposed development under Policy 55 of the adopted Local Plan and it was considered that the proposal would not detract from the setting of the adjoining listed buildings. Concerns about noise and interference to the church sound system from the proposed equipment cabins have not been backed up by any factual evidence and there is no suggestion that the existing (and much larger) equipment cabins to the rear of the building are causing any problems. The applicants were contacted on this issue and have provided information on noise levels. Taking into account the views of the Head of Environmental Health and Trading Standards, the lack of problems with the existing equipment and the existing noise levels in the vicinity of the site, it is considered that potential noise levels will not be such as to cause problems within St Mary's Church.

d NPPG 19 and PAN 62

These documents give good general advice on the siting and design of masts and the Council's own Non Statutory Policies have similar themes. The documents advise that the siting and design of telecommunications development are the key issues to be addressed through the planning system. For the same reasons as set out in the assessment of the proposals under Policy 78 of the adopted Local Plan it is considered that the proposals also comply with Government guidance on the siting and design of masts.

It is concluded from the foregoing that insufficient weight can be accorded to the material considerations to justify the refusal of planning permission. It is therefore recommended that planning permission be granted.

Design

The design of the proposals will not be visually prominent and improvements to existing apparatus will neutralise the impact of more antennae on this building which is adjacent to listed buildings and within a conservation area.

CONCLUSION

It is concluded that the proposal complies with the Development Plan and National Policy. A single objection was received but it is considered that it does not carry sufficient weight to justify refusal of the application. Therefore the application is recommended for APPROVAL.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 In the event that the development hereby permitted ceases to be used for the purposes for which it was designed, it shall be removed from the site within 2 months of the date it ceased to be used, and the building and site shall be reinstated to its state prior to implementation of the proposal or such other state as may be agreed in writing with the Council.
- 3 The proposed visual improvements to the Mm02 Airwave equipment and the cable tray on the eastern elevation set out in points 7, 8 and 9 of Paragraph 1.4 of the Statement in Support of Application for Planning Permission dated October 2005 shall be fully implemented prior to the first use of the proposed new antennae.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure the satisfactory reinstatement of the building and site.
- 3 In order to ensure that the development proposals do not have an adverse impact on the Grove Conservation Area or on the setting of the adjoining Category B listed St Mary's Church.