

**REPORT TO: PLANNING AND TRANSPORTATION COMMITTEE
25 AUGUST 2003**

**REPORT ON: NON STATUTORY SUPPLEMENTARY PLANNING GUIDANCE IN
RELATION TO TELECOMMUNICATIONS MASTS AND OTHER
APPARATUS**

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 522-2003

1 PURPOSE OF REPORT

1.1 To report to Committee on proposed amendments to the non-statutory supplementary planning policies relating to telecommunications developments approved by the Committee in September 2001 following representations made by Historic Scotland and operators during the preparation of the Local Plan review.

2 RECOMMENDATIONS

2.1 It is recommended that the Committee:

- a agrees to the proposed amendments to non-statutory Policies 9 and 10 as outlined in paragraph 6.5 of this report.
- b publicises the amended policies for information among those parties who have lodged objections to Policy 78 of the Dundee Local Plan Review 2003; and
- c remits the content of this report to the Development Quality Committee as a material consideration in the determination of planning applications.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications as a consequence of this report.

4 LOCAL AGENDA 21 IMPLICATIONS

4.1 The proposed policies address the following Local Agenda 21 Key Themes:

- “Places, spaces and objects combine meaning and beauty with utility”; and
- “Access to facilities, services, goods and people are not achieved at the expense of the environment and are accessible to all”.

5 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 The application of the policies should result in benefits for all sections of the Dundee community.

6 BACKGROUND

6.1 Reference is made to Article II of the Minutes of the Planning and Transportation Committee of 24 September 2001 wherein a set of non-statutory planning policies in

relation to telecommunications developments was approved. Reference is also made to Dundee Local Plan Review Policy 78 "Location of Telecommunications Equipment" which makes reference to these policies as supplementary planning guidance.

6.2 During the consultation stages leading to the publication of the Local Plan review the following organisations made representations regarding non-statutory Policies 9 and 10 which relate to listed buildings:

- a James Barr Consultants (now Mono Consultants Ltd) on behalf of T Mobiles (UK);
- b James Barr Consultants (now Mono Consultants Ltd) on behalf of Orange Plc Ltd;
- c Scottish Executive Development Department Planning Division; and
- d Historic Scotland.

6.3 Other issues raised by these organisations in relation to the wording of Policy 78 and the text of the reasoned justification in paragraphs 84.1-84.6 of the review will be dealt with separately as part of the formal Local Plan procedure.

6.4 Policy 78 makes reference to the Council's existing non-statutory planning policies for telecommunications which were approved by the Council, following a consultation exercise, in September 2001. These policies are to be retained as an integrated part of Policy 78. Policies 9 and 10 deal with listed buildings, and are presently worded as follows:

Policy 9

There will be a presumption against telecommunications proposals located on listed buildings or structures or which are considered to adversely affect the setting of a listed building or structure."

Policy 10

Subject to the informal support of Historic Scotland and the receipt of a comprehensive justification and restoration details acceptable to the Council, telecommunications apparatus may be located inside a listed building subject always to the proviso that no part of the apparatus is externally visible and is appropriately housed internally.

6.5 In response to the representations received, it is recommended that these policies be amended as follows to bring them more into line with statements of Government policy and best practice advice with NPPG 19 and PAN 62 respectively.

"Listed Buildings

Policy 9

Telecommunications apparatus may be located within a listed building providing it can be demonstrated to the satisfaction of the Council in consultation with Historic Scotland and that any alterations are fully reversible.

Policy 10

Proposals for the location of telecommunications apparatus on a listed building or attached to its external fabric may be acceptable where the Council:

- a is satisfied that other options for the location of the installation have been evaluated and the case for non-selection justified; and
- b in consultation with Historic Scotland, is satisfied that the location and design of the installation has a limited visual impact on the listed building, that there will be minimal interference with the historic fabric and that the proposed alterations are fully reversible.

Ground based telecommunications masts and related apparatus and telecommunications structures proposed to be located on buildings, will not be acceptable where, by virtue of their location and design, the Council considers that they will adversely affect the setting of a listed building.”

- 6.6 Those organisations listed above have been consulted and are agreeable to the proposed amendments.

7 CONSULTATIONS

- 7.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance), and Assistant Chief Executive (Community Planning) have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

- 8.1 Correspondence between the Council and the organisations listed in Paragraph 6.2.

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12 August 2003

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