

KEY INFORMATION

Ward Tay Bridges

Proposal

Installation of 6 no face mounted telecommunications antenna on chimney and 2 equipment cabinets

Address

Baltic Works
28 Annfield Road
Dundee
DD1 5JH

Applicant

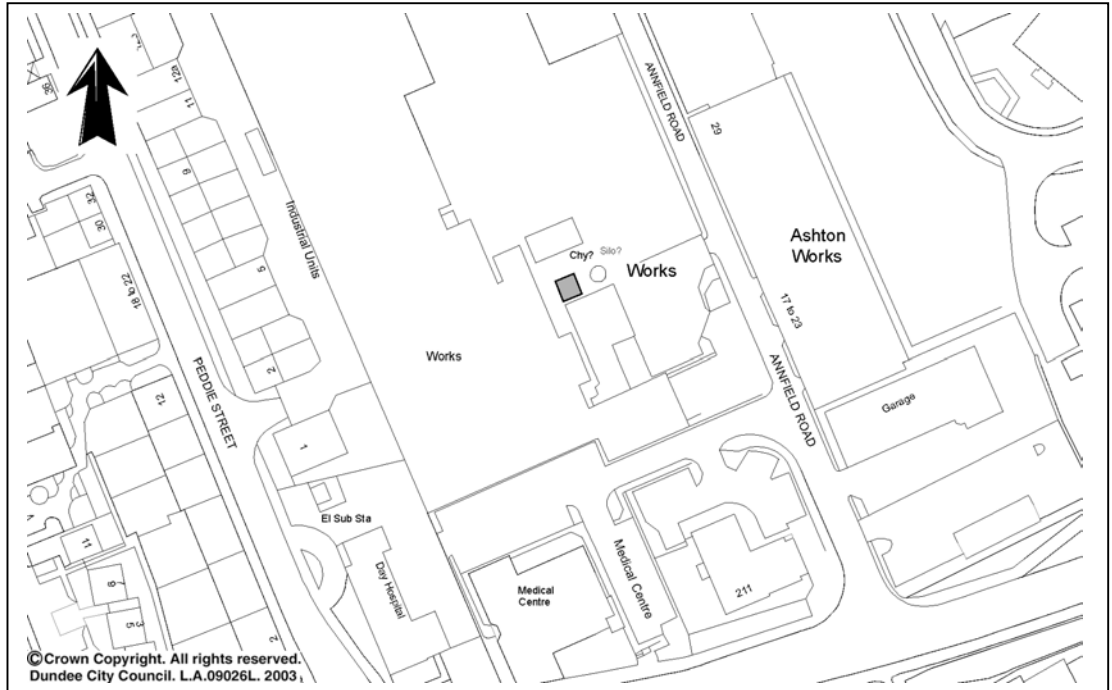
Vodafone Ltd
c/o Stappard Howes
122 Dundyan Road
Coatbridge

Agent

Stappard Howes
122 Dundyan Road
Coatbridge

Registered 5 Aug 2004

Case Officer Eve Jones



The installation of 6 telecommunications antenna on a chimney is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposed antenna comply with the policies of the Dundee Local Plan, the Finalised Dundee Local Plan and the Council's Non-statutory policies on Telecommunications Equipment. They also comply with National Planning Guidance. The single objection on health grounds cannot be supported. The application is recommended for **APPROVAL** subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the installation of 6 face mounted telecommunications antenna on an existing industrial chimney and installation of associated ground based equipment on adjoining land. The antenna are 2.6 metres high and they will be located at 20 metres high on the chimney which is 40.4 metres tall. The application is supported by the necessary supplementary information regarding alternative sites and a technical certificate.
- The chimney is a prominent octagonal red brick structure, which is a Category B listed building. It lies within an area of industrial and commercial premises. The nearest houses are 90 metres to the west.
- The proposal complies with the policies in the Dundee Local Plan, the Finalised Dundee Local Plan and the Council's supplementary Non-Statutory policies.
- 3 similar antenna have already been installed on this chimney with the benefit of Listed Building consent. The antenna are unobtrusive on this tall structure.
- One objection has been received from the adjoining Health Centre on the basis of health risks. The application is accompanied by the required technical certificate and therefore the objection cannot be supported.
- This application was deferred from consideration by the Development Quality Committee on 25 October 2004 at the request of Members.

DESCRIPTION OF PROPOSAL

Planning permission is sought to erect 6 face mounted telecommunications antenna on an existing industrial chimney and install associated equipment on adjoining land. The base of the antenna will be located 20 metres high on the chimney which measures 40.4 metres. The 6 antenna are 2.6 metres high. 2 equipment cabinets will be contained within a compound 5.0 metres by 2.5 metres.

5 alternative sites have been considered, 4 were in locations which did not provide technical coverage and the other had design restrictions as it was a prominent listed building. They have also submitted a letter in support of their proposals which states that the development will comply with Local Plan and Government guidance on telecommunications apparatus. Finally an ICNIRP certificate has been submitted indicating that the existing and proposed antennae will comply with the requirements of the radio frequency public exposure guidelines.

This application was deferred from consideration by the Development Quality Committee on 25 October 2004 at the request of Members.

SITE DESCRIPTION

The octagonal chimney is a prominent landmark built of red brick with white brick detailing. It dates from 1864 and is a part of the Category B listed mill. The site lies within an area of commercial land uses which lies between Annfield Road and Peddie Street to the north of Hawkhill. The works and yards are occupied by Halley Stevens and surrounding uses include commercial and industrial units to the west, the Day Hospital, Hawkhill Medical Centre, PDSA and Veterinary Centre to the south, car repairs and car wash to the south east. The Technopole Medical Research facility is under construction on land to the east of Annfield Road. The nearest houses are 90 metres to the west. There are 3 existing face mounted telecommunications antennae located at 26.7 metres (to top of antenna) on this chimney which provide signals for another telephone operator.

POLICY BACKGROUND

Dundee and Angus Structure Plan 2001-2016

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

Dundee Local Plan 1998

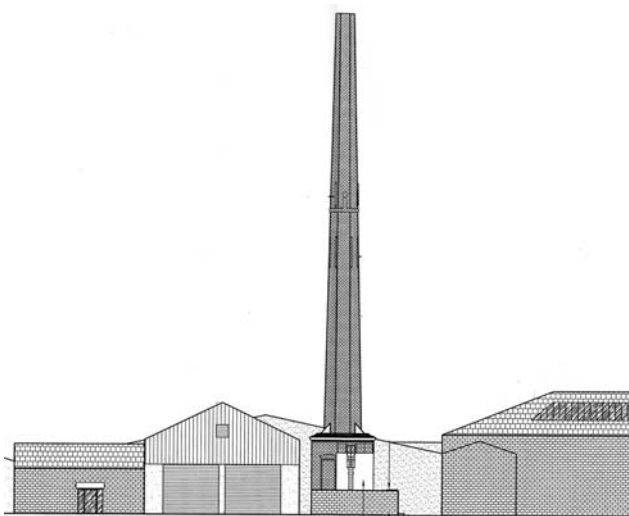
The following policies are of relevance:

Policy BE31 - Telecommunications Developments.

Proposals for telecommunications developments will be assessed against the following criteria:

A) Proposals will be assumed to carry an operational justification, but in cases where there is good reason to anticipate a general proliferation and resultant clutter in the local landscape, the planning authority retains discretion to explore this justification.

B) There are no satisfactory alternative sites available.



C) There is no reasonable prospect of sharing existing facilities.

D) For radio masts there is no reasonable possibility of erecting antennae on an existing building or other structure

E) The development should avoid conflict with other policies or proposals of the Local Plan, Structure Plan, National Guidance etc.

Policy BE 17 - Alterations to Listed Buildings.

Dundee Urban Nature Conservation Subject Local Plan 1995

There are no policies relevant to the determination of this application

Finalised Dundee Local Plan Review

The following policies are of relevance:

Policy 78: Location of Telecommunications Equipment. This policy has recently been modified in advance of the inquiry on the Plan. In general, operators are encouraged to share existing masts in order to minimise the environmental impact on the city.

Policy 78 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 on "Non Statutory Statements of Council Policy".

Policy 60 - Alterations to Listed Buildings, is also of relevance.

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.

Planning Advice Note 62: Radio Telecommunications

This provides best practice advice on the process of site selection.

Non Statutory Statements of Council Policy

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

Policies 1, 3 and 10 are of particular relevance and are considered in respect of Policy 78 below.

LOCAL AGENDA 21

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

SITE HISTORY

02/00762/LBC Listed Building consent granted for 3 telecommunications antenna to be face mounted on the chimney, 23 January 2003. These antenna have recently been installed.

04/00053/FUL Planning application for 6 face mounted antenna, withdrawn 10 February 2004. The same proposals have now been re-submitted as this current application.

04/00623/LBC. The partner Listed Building application to this proposal, it has yet to be determined.

PUBLIC PARTICIPATION

Statutory neighbour notification was carried out and 1 objection was received from the adjacent Health Centre on grounds of health risk. Copies are available for inspection in the Members Lounges.

These concerns are considered in the Observations section of this Report.

CONSULTATIONS

There were no adverse comments from consultees.

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.

In terms of Policy BE31 the proposal has an operational justification and alternative sites have been considered and rejected by the applicants. The site is required to improve coverage to an area surrounding the University Campus in the south of the City. Five alternative sites were considered, four of which were unsuitable as they would be unlikely to provide the necessary coverage for the operator or were too close to houses. The fifth site is a prominent Listed Building in the City Centre with design restrictions. The development is acceptable if it does not conflict with other policies in the Local Plan or National Guidance.

Policy BE17 - Alterations to Listed Buildings. The impact of the proposal on the listed structure will be fully considered in the Listed Building application. However it should be noted that Listed Building consent was granted to another operator for the installation of very similar antenna once mock equipment had been installed to prove that it would have very little impact on the character of the building. The antenna as proposed are similar in size and location to the approved antenna.

It is concluded from the foregoing that the proposal complies with Policies BE31 and BE17 of the adopted Local Plan provided it does not conflict with National Guidance.

Other Material Considerations

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

Finalised Dundee Local Plan Review

Policy 78 encourages mast sharing. This can be considered to be a form of mast sharing as an existing operator has antenna located at a different height on the chimney and the industrial yard can accommodate the ground based cabinets in an unobtrusive location. The proposal was also assessed in terms of the

Council's Non Statutory Policies, which are a material consideration in terms of Policy 78:-

Policy 1: there should be an assessment of the operational justification, alternative site and the options for mast sharing or use of buildings. This has been provided and is acceptable.

Policy 3: there is a general presumption in favour of ground based and rooftop mast in existing industrial estates and sites allocated for industrial development in the Local Plan provided they are located so as to minimise their visual impact and they do not prejudice the achievement of the Council's employment policies. Whilst this is neither a ground based or rooftop mast, it is considered that the principle of the policy applies and the use of an industrial location is in accord with this policy.

Policy 10: as amended by Planning and Transportation Committee on 25 August 2003, states that proposals for the location of telecommunications apparatus on a Listed Building may be acceptable where:

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

It is considered that the proposal complies with this policy.

Policy 60- Alterations to Listed Buildings. AS noted in reference to Policy BE17 above, this will be fully considered in the Listed Building application which is yet to be determined.

It is considered that the proposal complies with these policies as the applicant has provided a justification for the location and design of the proposal, alternative sites were assessed, the site is in industrial/commercial use and the existing antenna have demonstrated that this type of equipment can be installed with minimal impact on the listed building.

It is concluded that the proposal complies with Policies 78 and of the Finalised Dundee Local Plan Review.

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.

Objections

As detailed above, the objection relates to health matters. Concerns about health matters have been widely discussed by Government and other bodies. However NPPG 19 clearly advises that it is not necessary for planning authorities to treat radio frequency emissions as a material consideration. To demonstrate to planning authorities that the known health effects have been properly addressed, applications for planning permission involving antennas must be accompanied by a declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radio frequency radiation. The applicant has submitted the appropriate certificate in these circumstances.

The Scottish Executive published a report in early July 2004 entitled "Evaluation of Revised Planning Controls over Telecommunications Development".

The report acknowledges that the issue of health concerns would inevitably arise, but specified that the research should not be directed into an extensive discussion of health issues. Whilst the Scottish Executive supports research into the subject of health impacts of mobile telecommunications and recognises the need for more research into the matter, the current position is that there is insufficient evidence that mobile telecommunication development causes a health risk. Therefore insufficient weight can be placed on the objection on health grounds.

It is concluded from the foregoing that the development is in accordance with the relevant policies in the development plan and is supported by the material considerations of the

Finalised Dundee Local Plan Review and the Council's Non Statutory Policies. The objection is not considered to be of sufficient strength such as to justify the refusal of planning permission contrary to the provisions of the development plan. It is therefore recommended that planning permission be granted with conditions

Design

The design is fundamental to this proposal and the long narrow antenna and their cables will be coloured to match the brickwork of the chimney as the existing antenna have been.

CONCLUSION

It is concluded that the proposal complies with the relevant policies in the Dundee Local Plan 1998, Finalised Local Plan Review and National Policy. Although an objection was received on health grounds, it is considered that it cannot be supported. Therefore the application is recommended for APPROVAL subject to conditions.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reason(s):

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 In the event that the equipment becomes obsolete or redundant, it must be removed and the site reinstated to the satisfaction of the planning authority within 3 months of the date when the use ceases.

Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to safeguard the appearance of the statutorily Listed Building and to improve its architectural appearance.