

KEY INFORMATION

Ward East Port

Proposal

Erection of telecommunications antennae with ancillary equipment

Address

Dundee Battalion
69 Victoria Street
Dundee DD4 6EA

Applicant

Hutchison 3G UK Limited
123 St Vincent Street
Glasgow G2 5EA

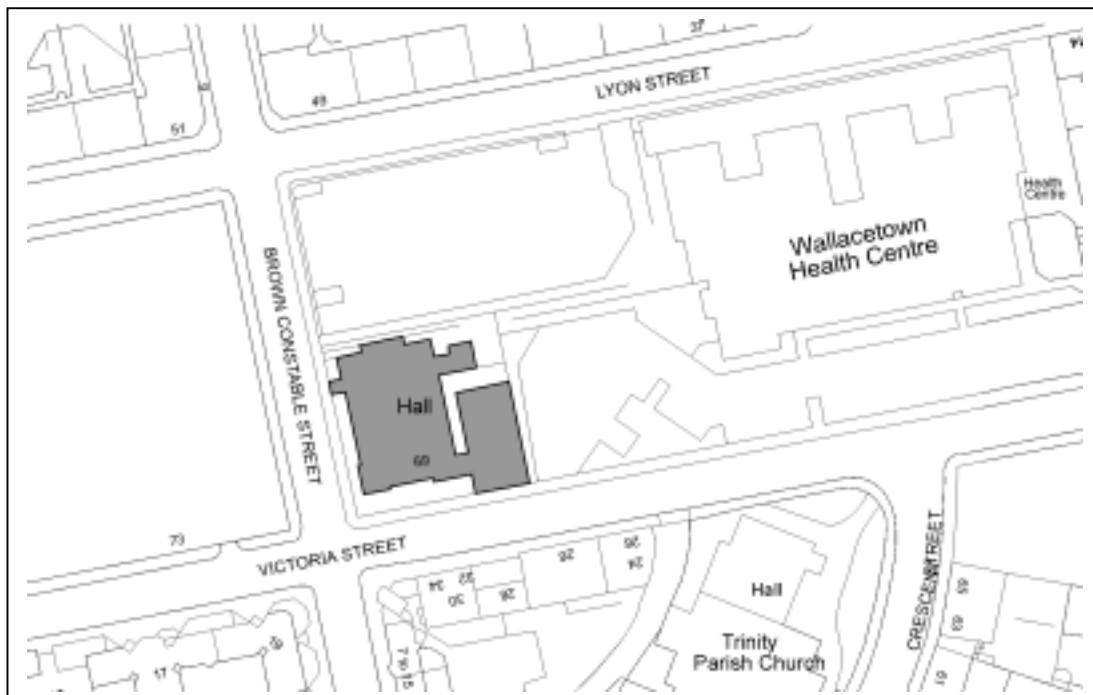
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20 March 2002

Case Officer Julie Finlay



Antennae Proposed on Former Victoria Street Church

Erection of telecommunications antennae with ancillary equipment is **RECOMMENDED FOR APPROVAL SUBJECT TO CONDITIONS**. Report by Director of Planning and Transportation

RECOMMENDATION

The proposal is in accordance with national policies and the policies in the Dundee Local Plan 1998. There are no material considerations that would justify refusal of the application in these circumstances

SUMMARY OF REPORT

- Listed building consent is sought for the erection of telecommunications antennae and equipment within a bell tower on the former Victoria Street Church, 69 Victoria Street, Dundee which is B-listed.
- The proposal raises issues for consideration in terms of Built Environment Policies 17 and 31 of the Dundee Local Plan 1998 and the Councils' Non-Statutory policies on telecommunications developments.
- One letter of objection was received from a neighbouring resident stating concerns about the visual impact of the proposal on the listed building.
- It is considered that the proposed development is acceptable in terms of Policies BE17 and BE31 of the Local Plan and there are no material considerations that would justify refusal of the application.

DESCRIPTION OF PROPOSAL

Listed building consent is sought for the erection of telecommunications equipment including 3 x 1.7m antennae concealed within a 23.7m high Glass Reinforced Plastic (GRP) flagpole, 1 x 0.2m dish and internal equipment cabinet. A meter cabinet will be located internally at ground level and there will be an equipment room at 5m height with a distribution board and individual processing cabinets. The flagpole will extend 3.8m above the highest part of the belltower which is 22m from ground level. Part of the proposal involves replacing the louvres on four sides of the belltower with GRP.

SITE DESCRIPTION

The application site is a corner site located on the north side of Victoria Street and east side of Brown Constable Street. The building is a 2 storey former church and hall with large belltower on the front (south) elevation. There are numerous red painted round-arched windows on the front and many blocked up and with grilles on the west elevation. The belltower is square with louvres and oculii on each face. There are entrances on both the front and west elevations. There is a stone wall approximately 0.5m high with black iron railings on top along the front and west boundaries. There are flats on the opposite side of Victoria Street to the south, a health centre to the north and small industrial units within a large warehouse to the west.

POLICY BACKGROUND

The Memorandum of Guidance on Listed Buildings and Conservation Areas provides advice on installing telecommunications equipment on listed buildings.

National Planning Policy Guideline 18: Planning and the Historic Environment sets out the executive's planning policies in relation to the historic environment with a view to its protection, conservation and enhancement.

National Planning Policy Guideline 19: Radio Telecommunications sets out the requirement for applications to

be supported by material which presents the proposal in its full context.

Planning Advice Note 62: Radio Telecommunications provides operators, their consultants, Councils and the general public best practice advice concerning the siting and design of proposals.

Dundee Local Plan 1998

BE17: The alteration of a listed building will only be acceptable where the proposals have regard to the restoration or enhancement of its architectural and historic character.

BE31: This policy sets out the criteria for the assessment of telecommunications developments.

A report on Non-Statutory Planning Policies in relation to Telecommunication Masts and Other Apparatus was passed at Committee in October 2001 and is a material consideration in the determination of planning applications for telecommunications developments within the City. Policies 9 and 10



provide advice in relation to telecommunications proposals on listed buildings and states that apparatus may be located inside a listed building provided it is appropriately housed internally.

LOCAL AGENDA 21

Key Theme 15 is of relevance and seeks to ensure that diversity and local distinctiveness are valued and maintained. The proposal for telecommunications equipment within the belltower is not considered to detract from the diversity and local distinctiveness which exists with this historically important building in the local landscape. The equipment will

be adequately disguised to achieve these aims.

SITE HISTORY

Planning permission was refused for change of use to a licensed social club on 30th October 2000. A partner listed building application for small extensions and a new disabled access was withdrawn on 20th March 2001.

PUBLIC PARTICIPATION

The application was advertised as affecting a listed building on 2nd April 2002. One letter of objection was received from a neighbouring resident stating concerns about health issues and the visual effect of the proposal on the listed building.

CONSULTATIONS

No adverse comments were received from any of the statutory consultees.

OBSERVATIONS

The determining issues for the Committee in this instance are whether the proposal complies with national and local planning policies and whether the proposal would have an adverse impact on this B-listed building.

Policy BE17 of the Dundee Local Plan 1998 states that alterations to a listed building will only be acceptable where the proposals have regard to the restoration or enhancement of its architectural and historic character. The apparatus will be located within the belltower of this former church and therefore

there is minimal interference to the historic fabric which is encouraged by the policies in the Local Plan. The only externally visible element will be the top 3.8m of a replica flagpole and antenna and this alteration is fully reversible and can be removed at a later stage.

Policy BE31 provides criteria for assessing the proposal including the requirement for an operational justification, evidence that there are no satisfactory alternative sites and the possibility of site sharing. These criteria are reinforced and repeated in the recent Non-Statutory Policies which have been drawn up to reflect

the most recent National Guidance. The proposal complies with these criteria as will be detailed below.

Non-Statutory Policy 1 requires that every application:

- contains an operational justification;
- justifies the selected site in relation to alternatives and addresses mast sharing;
- assesses the cumulative impact of individual proposals where there are others nearby;
- assesses the opportunities of minimising the visual impact of the proposal.

The application complies with the above requirements. A supporting statement was provided by the applicant which outlines the reasons for the chosen site, consideration of alternative sites and an assessment of the proposal in terms of siting and design.

A number of sites were considered as options for the required cell coverage. The alternative sites considered were disregarded because of;

- 1 Close proximity to residential properties at Wishart Centre and St Roques Lane;
- 2 Potential impact on an A-listed at Lower Dens Works;
- 3 Poor coverage technically at Craigtay Hotel, Transco on East Dock Street;
- 4 Equipment cannot be physically accommodated due to lack of space at Telephone Exchange, Bingham Terrace/Dalkeith Road;
- 5 Site cannot be acquired at Trinity Parish Church.

There are no opportunities for mast sharing within the required coverage area. The flagpole solution is considered to have minimal impact on the appearance and character of the listed building given the strong vertical emphasis of the tower itself. It is not unusual for flagpoles to be located on buildings such as churches and so blends in suitably and is inoffensive. The dish is not visible due to its location behind the balustrade and it being coloured to match the building.

Non-Statutory Policy 9 states that there will be a presumption against

telecommunication proposals on a listed building which are considered to adversely affect the setting of the listed building. In this situation, it can be argued that the proposed flagpole does not adversely affect the listed building. Non-Statutory Policy 10 says they may be located inside a listed building subject to the informal support of Historic Scotland, the receipt of comprehensive justification and that the apparatus is appropriately housed internally. The proposed apparatus will not impinge upon the fabric of the listed building and the equipment can be removed in the future and the building left in its original state.

A Licence Notification was submitted and it was concluded under the General Permitted Development (Scotland) Order 1992 that the proposal constitutes permitted development and it is not necessary to apply for planning permission.

There was an objection from a neighbouring resident on the south side of Victoria Street who raises concerns about the appearance of the telecommunications equipment on a listed building. As discussed in the paragraphs above, the impact on the listed building will be minimal with only 3.8m of the top of the flagpole visible above the existing belltower. It has been drawn to the attention of the applicant that a suitable finishing touch would be to attach a small flag at the top of the pole which does not present a problem for the operator. There will be a small 0.2m dish behind the balustrade, which will be coloured to match the building and out of public view. The objector also raises concerns about health issues which are not a material planning consideration according to advice from the Scottish Executive and the Council's Non-Statutory Planning Policies and is not relevant to the listed building application.

DESIGN

The telecommunications tower and antennae will be disguised within a flagpole and will only just extend above an existing belltower. All other equipment will be located internally. It is considered that the proposed flagpole will blend in with the existing building and will not detrimentally affect its visual appearance in terms of the historic and architectural importance of this B-listed building.

CONCLUSION

The proposed telecommunication antennae will be disguised as a flagpole and will be situated within an existing belltower. There will only be 3.8m of antennae visible at the top of the belltower. It is considered to have minimal visual impact on the listed building and is inoffensive. The proposal meets the criteria specified in Local Plan policies and national guidance.

RECOMMENDATION

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

- 1 The works must be begun not later than the expiration of 5 years beginning with the date of this consent.
- 2 Details of the proposed GRP louvres shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 3 In the event that equipment is removed from the building for any reason, all cabling, fixings and ancillary items shall be removed and all fixing holes made good to the satisfaction of the planning authority within 3 months of the date on which the equipment is removed.
- 4 Details of the proposed roof access hatch shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.

Reason

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 2 In order to ensure that the character and appearance of the building as a building of architectural and/or historic interest is retained.

- 3 To minimise the effect on the fabric of the listed building, and ensure the reinstatement of the site to a satisfactory standard.
- 4 In order to safeguard the appearance of the statutorily listed building and to improve its architectural appearance.