



Planning Applications Committee

Report by Director of Development and Regeneration Services

Contact: Ms K Rattray Tel: 0141 287 6049

APPLICATION TYPE	Full Planning Permission		
RECOMMENDATION	Grant Subject to Condition(s)		
APPLICATION	06/03724/DC	DATE VALID	16.11.2006
SITE ADDRESS	1 Clifton Place Glasgow G3 7LD		
PROPOSAL	Installation of 1 transmission dish and ancillary equipment to existing rooftop telecommunication site.		
APPLICANT	Vodafone (UK) Ltd C/o Mono Consultants Suite 3.1 21 Gordon Street Glasgow G1 3PL	AGENT	Mono Consultants Suite 3.1 21 Gordon Street Glasgow. G1 3PL
WARD NO(S)	16 - Kelvingrove	COMMUNITY COUNCIL LISTED	02_021 - Yorkhill/Kelvingrove
CONSERVATION AREA	Park		
ADVERT TYPE	Affecting a Conservation Area/Listed Building	PUBLISHED	15 December 2006
CITY PLAN	Residential		

REPRESENTATIONS/ CONSULTATIONS

Three letters of objection has been received from local residents. The grounds for objection are summarised below:

- (i) Further dishes will destroy the already compromised view from the bedroom window of a category A listed building.
- (ii) Possible medical side effects from the installation, particularly due to its closeness to the bedroom used by very young children.

Environmental Protection Services: No objections.

The following background information has been submitted on the applicant's behalf:

- Certification that emissions of electromagnetic radiation from, or associated with, the development, do not exceed the levels set by the International Commission on Non Ionising Radiation Protection (ICNIRP) in 1998.
- A supporting statement for the erection of a new telecommunications equipment from the applicant.

SITE AND DESCRIPTION

The application site is a 4-storey commercial building, which fronts Clifton Place overlooking Sauchiehall Street, in the Park Outstanding Conservation Area. The building is a modern structure with a flat roof, approximately 18 metres high, dominated by a large plant room, which is approximately 4.3 metres high. It is an existing telecommunication site, bounded to the east by Clifton Street with B listed terraced properties beyond; to the south by Clifton Place with B listed terraced property beyond; to the west by a modern commercial office building with North Claremont Street beyond; and to the north by La Belle Allee with A listed buildings beyond which are occupied by flatted properties and a Hindu temple.

PROPOSAL

The application proposes the erection of a 300 mm diameter transmission dish which would be attached to a pole, mounted on the east elevation of the plant room, towards its southeast corner. The dish would not project above the plant room roof. Proposed ancillary radio equipment would be housed in an existing equipment cabinet to the rear (north) of the plant room. Access to the site is off Clifford Place; no new access is proposed.

In the Supporting Statement submitted with the application, the agents have stated that the proposed transmission dish is required to upgrade Vodafone's network from cable to a wireless link.

PLANNING HISTORY

Planning permission (02/03654/DC) was granted on 11 March 2003 for installation of three panel antennas, two dish antennas and ancillary development on office rooftop; with the three antennas and two dish antennas to be mounted on the Clifton Place elevation of the plant room and the ancillary development located behind the telecommunications cabin.

Planning permission (02/01131/DC) was refused on 16.09.02 for installation of six pole mounted panel antennas and ancillary development on rooftop, as the design and positioning of the proposed telecommunications equipment would have a detrimental effect upon the appearance of the application property itself and on the amenity of the surrounding Outstanding Conservation Area.

Planning permission (01/02224/DC) was granted on 30.10.01 for installation of three telecommunications antennae and associated equipment, with one antenna to be located on the far western corner of the rooftop and the two other antennas to be located in the far eastern corner of the site.

Planning permission (98/01319/DC) was granted on 14.07.98 for installation of telecommunications equipment, which are three pole mounted antennas to be erected immediately to the west of the plant room, along with various ancillary equipment.

Planning permission (92/00730/DC) was granted on 06.05.92 for installation of terrestrial microwave antenna to be positioned on the western elevation of the plant room.

All of the above consents are subject to a condition that all equipment shall be removed within in one month of becoming redundant.

POLICIES

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that when an application is made it shall be determined in accordance with the Development Plan unless material considerations dictate otherwise.

The Development Plan comprises the Glasgow and the Clyde Valley Joint Structure Plan and the Glasgow City Plan (Adopted 2003). There are no specific policies of relevance to the application proposal in the Structure Plan. The site lies within a Residential Policy Principle Area of the Glasgow City Plan and the following City Plan policies are considered relevant:-

- Policy IB8 'Telecommunications and Cable Development'
- HER 3 'Design Standards for Listed Buildings and Properties in Conservation Areas'

ASSESSMENT AND CONCLUSIONS

The principal planning issues to be considered in this application are:

- 1) Whether the proposal accords with the Development Plan;
- 2) Whether the proposal preserves or enhances the character or appearance of the Conservation Area and;
- 3) Whether any other material considerations have been satisfactorily addressed. This includes the above noted letters of objections.

(1) Development Plan

As indicated above, there are no policies of direct relevance to the application proposal in the Glasgow and the Clyde Valley Joint Structure Plan.

The site lies within a Residential Development Policy Principle Area of the Glasgow City Plan, but this does not preclude telecommunication development. Policy IB 8 of the City Plan contains guidance on the siting of telecommunications equipment. It encourages operators to locate on buildings, rather than erecting free-standing masts, and to share sites such as roof tops, noting it is important that the subsequent sets of equipment do not result in a random jumble on the roof top. Each successive set of apparatus must be grouped logically with the existing apparatus to ensure a balanced composition on the rooftop. In relation to small scale equipment, the policy states that on wholly commercial properties, such as the current application site, satellite dishes should be located back from the roof edge and as far as practicable from adjacent residential properties. Wherever practicable, the dish should also be located where it is not visible from the main street frontage.

The policy advises that any rooftop apparatus, which is visible from the surrounding area, will also be assessed against any impact it might have on more distant properties or important views, particularly within conservation areas and on, or near to, listed buildings. Permission is unlikely to be granted if rooftop apparatus would be seen against, and detract from, historic and architecturally renowned skylines.

In relation to conservation areas, the policy states Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas (1998) provides detailed guidance to planning authorities on dealing with applications for telecommunications apparatus on listed buildings. It states that, as a general rule, transmitters should not be located on listed buildings and that any proposal to maximise performance at the expense of building or streetscape character should not be permitted. The siting of telecommunications apparatus on a listed building or in a conservation area will only be considered acceptable where the apparatus will not be detrimental to the character or setting of a listed building or to the visual amenity of a conservation area.

Under the terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Council is required to pay special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Policy HER 3 aims to secure this; it states that the siting of any telecommunications or cable apparatus on a listed building, or in a conservation area, will only be considered acceptable where the apparatus will not be detrimental to the character or setting of a listed building or to the visual amenity of a conservation area and where the developer has submitted evidence to show why alternative, less sensitive locations cannot be used.

The proposed dish would be grey and sited on an existing rooftop site with its ancillary equipment housed in an existing cabinet. It would be positioned below the plant room roof where it would be read against the east wall of the plant room and in conjunction with existing equipment. It would be positioned 4.2 metres back from the front edge of the roof, behind an existing half-height antenna and set back 18 metres from the east roof edge. It would be positioned as far as practicable (approximately 29 metres) from the residential flats to the rear of the site. It would not impact on the architecturally renowned skyline of Woodland's Hill to the north. Moreover, the site is partially screened from Woodland's Hill by trees in Kelvingrove Park and by the properties on La Belle Place. Thus, the proposal's visual impact is minimised and it is considered that it would neither introduce an intrusive element to the site nor erode the character or appearance of the surrounding conservation area.

As such, it is considered that the application proposal will not have an adverse visual impact and meets the terms of the relevant City Plan Policies.

(2) Conservation Area

In respect of (2), any proposal involving works that affect properties in conservation areas should preserve or enhance the character and appearance of the conservation area. As noted above, the proposal does not significantly affect the character or appearance of the Park Conservation Area.

(3) Other Material Considerations

These include Town and Country Planning (General Permitted Development) (Scotland) Amendment (No. 2) Order 2001, National Planning Policy Guideline (NPPG) 19 - Radio Telecommunications, Planning Advice Note (PAN) 62 - Radio Telecommunications (September 2001) and the views of consultees and of those making representations.

The Amendment Order, making major changes to Permitted Development Rights for Telecommunication Operators came into force on 23 July 2001. This was accompanied by Circular 5/2001 (setting out the new legislation in non-legal language) and NPPG 19. PAN 62 was published shortly thereafter in September 2001. These supersede all previous legislation and government guidance on planning and telecommunications.

NPPG 19

Health Issues

The NPPG sets out at length the Scottish Executive's planning policy for radio telecommunications and provides guidance to planning authorities in how to determine planning applications.

For information only, the NPPG also sets out the Government's response to the Stewart Report "Mobile Phones and Health" of May 2000. The Government accepts that a precautionary approach should be taken to the use of mobile phone technologies. This includes ensuring that all emissions from mobile phone antennas comply with certain guidelines. The Government's response to specific recommendations includes:-

- Emissions from mobile phone base stations should meet the ICNIRP guidelines set by the EU Council on 12 July 1999. Most base stations already meet the guidelines, which are more stringent than the National Radiological Protection Board (NRPB) guidelines and all new base stations will do so.
- A national database of all base stations and their emissions will be compiled by the Radio communications Agency and this information will be in the public domain. This Agency is also carrying out audits of emissions from base stations located on school premises, to ensure compliance with the ICNIRP guidelines.
- Operators have agreed to provide schools with information on radio wave emissions on their premises, on request.
- All base station antennas will have clear exclusion zones to protect the public from emissions above the ICNIRP levels. (These zones relate to an area directly in front of and at the height of the antennas).
- A comprehensive programme of further research on health matters will be commissioned.
- Leaflets have been published by the Scottish Executive/Department of Health to provide advice on the use and purchase of mobile phones.

The NPPG states: "Making sure these steps are taken is the responsibility of the Government, the telecommunications regulating authorities and the mobile industry. They are not matters for the planning system."

Issues for Planning Authorities

The NPPG states: "It is not necessary for planning authorities to treat.....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 be designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation.” This is considered sufficient by Government to satisfy the precautionary principle referred to above.

“The key issues to be addressed through the planning system are the siting and design of telecommunications development.”

Detailed advice on the siting and design of telecommunications apparatus is contained within a Planning Advice Note 62 – Radio Telecommunications, which was published in September 2001. The proposal conforms to the advice contained within PAN 62.

NPPG 19 identifies a number of material considerations for telecommunications planning applications. These are:-

1. siting and design, including scale and colour
2. landscaping and screening
3. for replacement equipment, the degree of visual improvement
4. the options and alternatives considered
5. the requirements of the network and the technology
6. National Planning Policy Guidelines
7. legitimate public concerns about siting and design
8. the views of consultees
9. effects on the natural and built heritage

In respect of this application, numbers 1, 4, 5, 6, 7 8 and 9 are considered relevant and are discussed below.

In respect of 1, the proposed dish would be sited on the roof of the building, mounted on the external plant room wall. Given the size, design, colour and position of the proposed dish, it is considered that it will not be conspicuous and will not detract from the visual amenity of the site or surrounding area.

In respect of 4 and 5, the applicant’s need to upgrade their network is accepted and, it is considered that as the proposed dish would be logically positioned in relation to existing apparatus, the proposal will not contribute to clutter and thus, in this instance, it is appropriate to make use of an existing telecommunication site rather than to seek alternatives.

In respect of 6, the guidance and advice contained within National Planning Policy Guideline (NPPG) 19 - Radio Telecommunications and PAN 62 - Radio Telecommunications have been considered as part of this report. The location of the proposed dish and the additional information supplied by the applicant have been assessed against NPPG 19 and PAN 62. The proposal satisfies the requirements contained within each document.

In respect of 7, the points of objection made were outlined at the start of this report. In relation to the issues raised, the following is noted:

- (i) Further dishes will destroy the already compromised view from the bedroom window of a category A listed building.

Comment: The proposal is not considered to have any adverse effect on important views within the conservation area, on any architecturally renowned skylines or on the setting of the surrounding listed buildings. Views from within neighbouring properties are not a material planning consideration.

- (ii) Possible medical side effects from the installation, particularly due to its closeness to the bedroom used by very young children

Comment: In relation to the effect on health and perceived health risks, Reporters have accepted that public concern is a material planning consideration in determination of applications and the new legislation now requires all Operators to accompany their applications with a declaration that their equipment and installation is designed to be in full compliance with the appropriate International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure to radio frequency (RF) radiation.

According to ICNIRP and the Stewart Report, as well as the Council's own Environmental Health officers, who are engaged at monitoring emissions from a number of telecommunications sites in the city, there is no conclusive evidence of adverse health effects from such installations. In addition, the applicant has confirmed that emissions from the proposed apparatus will not exceed the levels set by the ICNIRP. As the installation would accord with the ICNIRP standards, it would be unreasonable to conclude that the current application should be refused on health grounds.

In respect of 8, views of consultees, Environmental Protection Services have made no objections to the proposal.

In respect of 9, as noted above, the proposal does not significantly affect the character or appearance of the Park Conservation Area.

Therefore, in respect of (3), it is not considered that other material considerations outweigh the provisions of the Development Plan.

The application proposal, for the installation of one transmission dish and ancillary equipment to an existing rooftop telecommunication site, is considered acceptable as there would not be a significant visual impact. The proposal, therefore, is deemed to accord with the Residential Development Policy Principle and the terms of Policy IB8 'Telecommunications' of the City Plan. The applicant has certified that the emissions from the apparatus will not exceed the levels set by ICNIRP. Environmental Protection Services and Land Services (Roads) have indicated that they have no objections to the proposal. With regard to the letters of objection, the points raised have been assessed; however, it is not considered that they should outweigh the proposal's compliance with the Development Plan.

Accordingly, it is recommended that planning permission be granted, subject to the following conditions.

CONDITIONS AND REASONS

01. The development shall be implemented in accordance with drawing numbers ATP-23155A-001, ATP-23155A-002 and ATP-23155A-003 received on 16 November 2006 as qualified by the undernoted conditions, or as otherwise agreed in writing with the Planning Authority.

Reason: As these drawings constitute the approved development.

02. Equipment shall be removed within one month of it becoming unused.

Reason: In order to protect the visual amenity of the surrounding area.

for Director of Development and Regeneration Services

DM/KRA/05/01/2007

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