

2.2 & 2.3 REFERENCE NO - 14/500285/FULL and 14/500286/LBC		
APPLICATION PROPOSAL Installation of 4no. dipole antennas at a mean height of 90.5m and related strengthening of mast, a 1.8m diameter ground mounted satellite dish and development ancillary thereto including 2no. GPS antennas on existing building, as amended by additional information and drawings received dated 16 October 2015.		
ADDRESS Radio Transmitter Courtenay Road Dunkirk Kent ME13 9LH		
RECOMMENDATION – Approve SUBJECT TO : Outstanding representations on amended drawings (closing date 4 November 2015)		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection		
WARD Boughton & Courtenay	PARISH/TOWN COUNCIL Dunkirk	APPLICANT Arqiva Ltd AGENT Ms Jenny Bye
DECISION DUE DATE 30/09/14	PUBLICITY EXPIRY DATE 04/11/15	

THIS REPORT RELATES TO TWO SEPARATE APPLICATIONS BUT THEY ARE REPORTED TOGETHER AS THE SAME ISSUES ARISE. EACH APPLICATION SHOULD BE DETERMINED ON ITS OWN MERITS.

RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):

SW/10/1128 - erection of offices and storage building - refused.

SW/11/1370 - Erection of a data storage facility (B8) and permanent historical exhibition (D1)- refused. Appeal dismissed by the Planning Inspectorate.

SW/13/0880 & 0885 - installation of 2 x 1.8 microwave dishes at a height of 40 metres- approved. Not proceeded with due to the two dishes now proposed having been installed at that height – leading to SW/13/1340 and 1341.

SW/13/1273 and 1274 - installation of two 1.8m microwave dishes at a height of 58m on the existing 110m tower, associated cabling and the installation of a small equipment cabin at ground level - approved.

SW/13/1340 and 1341 - listed building consent and planning permission for the placement of one x 2.4m and one x 1.2 dishes at a height of 47 metres - approved.

SW/13/1462 & 1463 - planning permission and listed building consent for two 1.2m microwave dishes installed at a height of 40m on the existing 110 tower, and associated cabling and the installation of a small equipment cabin at ground floor.

SW/14/0003 and 0004 – installation of two 1.2m microwave dishes at 40m - approved

14/500065/FULL - Erection of a data storage facility (B8) and permanent historical exhibition (D1)- refused. Appeal dismissed by the Planning Inspectorate.

14/506050/FULL + 14/506051/LBC - Installation of new steel bracing- approved March 2015

1.0 DESCRIPTION OF SITE

- 1.01 The RAF Mast is grade II listed and lies within the designated countryside directly adjacent to the built-up area boundary of Dunkirk. The existing mast has a height of 94.5 metres (it was previously thought to have a height of 110 metres) and is already host to a number of items of telecommunications equipment, please see planning history above for more details. The site is located within the designated countryside and within a Special Landscape Area.
- 1.02 To the northwest of the site, beyond the fenced compound, is a larger area of land that once formed the weapons store and surface air raid shelter of RAF Dunkirk Chain Home Radar Station, and which is now protected as a Scheduled Ancient Monument.

2.0 PROPOSAL

- 2.01 It is proposed to use the existing mast for Digital Audio Broadcasting (DAB) network expansion consisting of the installation of DAB antennas together with a new satellite dish antenna for active site monitoring and some programmed feeds.
- 2.02 Planning permission and listed building consent are sought for the following proposals, with the applications having been amended more than once by the applicants, so that the final amended details received on 16 October 2015 now propose:
- Installation of 4 no dipole antennas at a mean height of 90.5 metres on the mast. Each dipole antenna will measure 615mm in length with a diameter of 35mm. They will be set one above the other, placed vertically and spread over an overall vertical distance of 5.6m
 - Strengthening of the mast by means of bracing on existing diagonal cross-members between 60 to 69m above ground level
 - One ground mounted satellite dish measuring 1.8 m diameter, set on a concrete base
 - Two small GPS antennas (at a height of 3.7 metres) on an existing building
 - No new building/cabinet or overhead cabling is now proposed
 - No new satellite dishes are proposed to be installed upon the mast itself
- 2.03 The application has been submitted with a 'Declaration of Conformity with ICNIRP Public Exposure Guidelines' certificate which confirms that the proposal has been designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission.
- 2.04 The application was originally submitted in 2014 but determination has been delayed through a combination of factors including the applicants changing their plans and the need to ensure that evidence of the structural capacity of the mast to cope with the extra loading was made available. This latter matter has been important because it has resulted in the applicants adding a proposal for minor bracing to the mast to accept the additional loading, and the applications now include that work. This bracing will consist of additional steelwork to existing bracings, which would not be noticeable from ground level

- 2.05 The applications no longer include a proposal for a new cabin at ground level and I will address local representations according to the proposal now before the Council. Having said that I am re-consulting on the latest October 2015 amendments and will report further at the meeting.

3.0 PLANNING CONSTRAINTS

Potential Archaeological Importance

Dunkirk Airfield Multiple

Potential Archaeological Importance

Listed Buildings MBC and SBC Ref Number: 1378/SW

4.0 POLICY AND OTHER CONSIDERATIONS

Swale Borough Local Plan 2008

- 4.01 Saved policies E1 (General Development Criteria), E6 (Countryside), E14 (Proposals affecting Listed Buildings), E16 (Proposals affecting Scheduled Ancient Monuments and Archaeological Sites), E19 (Achieving High Quality Design & Distinctiveness),

National Planning Policy Framework

- 4.02 The National Planning Policy Framework is also a material consideration in determining this application. Of particular relevance to this case are the sections that deal with sustainable development, core principles relating to brownfield land. Of particular relevance are the following paragraphs;

Paragraph 42 *“Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.”*

Paragraphs 131 & 132 *“In determining planning applications, local planning authorities should take account of:*

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- the desirability of new development making a positive contribution to local character and distinctiveness*

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.”

5.0 LOCAL REPRESENTATIONS

- 5.01 Four letters of objections (two from the same address) have been received which make the following summarised comments:

- As stated by the owners of this site the mast is at full capacity
- No structural repairs have started
- Loss of privacy while work is taking place
- The structure was not built for this type of development and is listed
- The proposals change the appearance of the mast
- Concerned about safety issue- structural integrity
- The site is poorly maintained
- The site is slowly being turned into an industrial site rather than an important historical feature
- Concerned about health implications from the high frequency dishes
- Nobody knows the cumulative affect at ground level and what the possible hazards are
- The council should carry out a risk assessment
- Concerned about the structural integrity of the mast
- Is it appropriate to trust the tower with these types of devices
- Concerned that the dishes could come dislodged and point towards houses

5.02 One letter (dated 13th November 2014) has been received from the owners of the site making the following summarised comments:

- Arqiva (the applicants) are the existing tenants on the site
- While we would not oppose Arqiva's application for development in principle, their legal agreement with us requires our absolute consent for any additional equipment
- We have not given this consent nor do we have any plans to do so at the present time
- MFD Engineering advise that the mast is currently at full capacity and requires some work

6.0 CONSULTATIONS

6.01 Dunkirk Parish Council objected to the applications as first submitted on the grounds that the agent had previously informed the Council that once previous applications for three dishes were approved the mast would be at full capacity, and they stated that *'installation of further new dishes would breach the known loading capacity of the structure which would require structural improvements'*. The Parish Council also expressed concern about the health and safety risks the mast may pose in this residential area.

6.02 In response to interim amendments the Parish Council noted that the site owners had previously said that they would not allow further dishes on the mast, and that it was at capacity. Further, they argued that additional dishes will be a blight on the visual aspect of this listed building. They also objected to the additional satellite dish close to the mast and quoted the previous Planning Inspector's concern over the impact of the proposed data storage building on the setting of the mast.

6.03 Historic England make no comments on the application and state that the application should be determined in accordance with national and local policy guidance and on the basis of your expert conservation advice.

6.04 Ministry of Defence (Defence Infrastructure Organisation) confirms that the *'application relates to a site outside of Ministry of Defence safeguarding areas'* and

'can therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.

- 6.05 Natural England raises no objection to the proposal.
- 6.06 The County Archaeological Officer made the following comments on the application as submitted which included a new ground based cabinet. I await his comments now that this element of the scheme has been deleted:

'Although the proposal involves very limited ground excavation works, it is possible that archaeological remains may be encountered during the groundworks and I would recommend that provision is made for an archaeological watching brief.'

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Application papers for 14/500286/LBC and 14/500285/FULL

8.0 APPRAISAL

- 8.01 My main consideration in the determination of these applications is the impact on the historic character of the former RAF mast, and the visual impact on the surrounding area. I will also be taking into consideration the concerns in relation to the structural integrity of the mast. Finally, I consider the impact of the proposals on the heritage value of the listed building.
- 8.02 The NPPF provides clear guidance on the location of telecommunications infrastructure stating that where possible existing structures should be used. The proposals are relatively small scale in nature and will not have a significant impact on the special historic character and appearance of the grade II listed former RAF Mast.
- 8.03 As Members will be aware the mast has a complex planning history which includes various permissions for installation of telecommunication equipment, a number of which have been approved in the past few years. However, in my view the ground mounted dish and dipole antennas now proposed will not appear overly intrusive on the mast or site. It appears a logical approach to locate new telecommunications infrastructure on existing structures/sites as they appear in keeping with character and nature of the existing structure.
- 8.04 The applicants have confirmed that the majority of the dipole antennae would be galvanised steel with the transmitting part of the antenna a light-weight alloy. Both would dull to a matt grey very quickly when exposed to the weather. They say that from past experience the antenna will, in a short time, blend into the skyline well and match the tower which is painted dark grey. For operational reasons it is not possible to paint the antennae as this would lead to outage issues when the antennae need re-painting.
- 8.05 I note the comments received by the Parish Council and a number of local residents who have raised concerns in relation to the structural integrity of the mast, the impact on the character of the mast as well as health concerns. Both of these issues have now been addressed by the applicants and I can see no reason to object to the applications on these grounds. I can quite see why the Parish Council would raise structural concerns and I too have been keen not to press ahead with a positive recommendation until additional information was available. This is now available and it has indeed revealed a need to strengthen the mast. This strengthening work is at a high level and will not have a significantly adverse impact on the appearance or

interest of the mast. This work is now included in these applications and I now suggest that this concern is dealt with.

- 8.06 With regards to health concerns I can confirm that the application pack includes a '*Declaration of Conformity with ICNIRP Public Exposure Guidelines*' certificate which confirms that the proposal has been designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission. This certificate confirms that the proposal meets the guidelines set by the EU Council on the limitation of exposure of the general public to electromagnetic fields in all areas legitimately accessible to the public. I therefore do not consider that there is a health risk arising from the proposed development. In any case EU legislation also covers public exposure guidelines and any development will have to meet these guidelines.
- 8.07 The Council has a statutory duty to give special weight to the impact of development on heritage assets. In this case Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the listed building or its setting or any features of special interests that of special architectural or historic interest which it possesses. I am satisfied that the works now proposed will not detract from the historic or architectural importance of the listed building as they will be small in scale and will not entail removal of any original features or fabric..

9.0 CONCLUSION

- 9.01 In my opinion the proposals will appear in keeping with the existing character of the mast and will not have a significant impact on the surrounding amenity of the area. A full survey has been carried out on the structural integrity of the mast which confirms that the mast need strengthening and this work is now integral to the applications. Taking the above into account I recommend that planning and listed building consent is granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

14/500285/FULL Planning application

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reasons: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following plan

DRG No. 57220-96-150-MD027 Rev 27 and 57220-96-100-MD027 Rev 27.

Reasons: In the interests of certainty and proper planning

3. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in

accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reasons: To ensure that features of archaeological interest are properly examined and recorded and to ensure that this is approved prior to commencement of the development.

4. The telecommunications apparatus hereby permitted shall be removed from the site as soon as reasonably practical after it is no longer required for telecommunication purposes.

Reasons: In the interest of visual amenity.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

14/500286/LBC Listed building consent application

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reasons: In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.