

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No: 4/10/00562/FPA

FULL APPLICATION DESCRIPTION: Retention of existing of 8.6m high wall mounted support pole and new horizontal antenna to rear elevation of existing dwelling and erection of two 5m aluminum support poles beyond south west facing elevation of existing dwelling

NAME OF APPLICANT: Mr J A Garnham

ADDRESS: 20 Deans Walk, Gilesgate, Durham, DH1 1HA

ELECTORAL DIVISION: Gilesgate

CASE OFFICER: Tim Burnham, Planning Officer
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tim.burnham@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application relates to 20 Deans Walk, which is a detached residential pitched roofed bungalow in Gilesgate, to the north east of Durham City Centre. The property measures 2.5m in height to eaves level and 4.8m in overall height and has gardens to front and rear. In a wider context the A690 runs to the northwest while further residential property lies to the south west, south east and north east. The rear of the dwelling backs onto properties on the adjacent Pilgrims Way. Hedges enclose the rear garden at the application site.

2. The proposal seeks planning permission to retain an existing 8.6m high wall mounted aluminium support pole which is attached to the rear elevation of the dwelling. The application also proposes to add a horizontal lightweight fibreglass antenna to this pole. The antenna would have an 'H' style design and would consist of two 7.5m long poles separated centrally by a pole which would have a length of 2.6m. This antenna would be placed 1.6m above the ridgeline of the property, while the pole itself would project 3.8m above the ridgeline. Two 5m poles, placed in the corners of both the front and rear garden would support a further antenna wire which would link these two poles.

3. The antennae are required by the applicant as a method of reception and transmission of short wave radio signals for amateur radio purposes. The size of antenna is required to be able to effectively use low short-wave frequencies. It is possible to lower the antenna mounted to the house when not in use via a winch system.

4. The application is being reported to committee following a request from Councillor Southwell a local ward member.

PLANNING HISTORY

5. Planning permission for the erection of a single storey rear extension and the construction of a pitched roof over the existing garage was granted in 2003.

PLANNING POLICY

6. NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overachieving planning policies on the delivery of sustainable development through the planning System.

Planning Policy Guidance 8: Telecommunications This PPG gives guidance on planning for telecommunications development, including radio masts and towers, antennas of all kinds, radio equipment housing, public call boxes, cabinets, polls and overhead wires.

7. LOCAL PLAN POLICY:

Policy H13 (Residential Areas – Impact upon Character and Amenity) states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.

The above represents a summary of those policies considered most relevant. The full text can be accessed at:
<http://www.cartoplus.co.uk/durham/text/00cont.htm>

CONSULTATION AND PUBLICITY RESPONSES

8. STATUTORY RESPONSES:

None

9. INTERNAL CONSULTEE RESPONSES:

None

10. PUBLIC RESPONSES:

Letters of objection have been received from six contributors. The objectors are concerned that the antenna would have a significant negative impact on the local residential environment by reason of being too large and out of keeping with surrounding residential properties. There is a concern that there will be a reduction in the views available from surrounding property. It is stated that the antenna would pose a safety hazard to individuals and properties, with increased concern due to the close proximity of the A690. Objectors are concerned that the development would reduce the value of their property.

Councillor Dennis Southwell a local ward member has objected to the application on the basis that the development would be of inappropriate height and appearance in relation to the host dwelling.

Four letters have also been received in support of the application. The letters state that these contributors find the antenna an inoffensive structure which causes them no concern.

11. APPLICANTS STATEMENT

My hobby is of an experimental nature and the development of aerials is a large part of the hobby. The aerials I have been using up to the present time have not been as efficient as I would have wished and have limited my experiments and activities considerably. Since installing my proposed aerial on a temporary basis and finding the result to be vastly superior, I now wish to overcome my previous restrictions by retaining my proposed support and aerial.

The aerial is standard equipment used by many radio amateurs throughout the country and indeed the world. It is more efficient and if sited at the appropriate height will enable me to ensure that it is less likely to cause radio and television interference.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://publicaccess.durhamcity.gov.uk/publicaccess>

PLANNING CONSIDERATIONS AND ASSESSMENT

12. There are a variety of planning issues which are considered central to the consideration of this application. Consideration must be given to whether the proposed supporting poles and antennae have a significant adverse effect upon the character and appearance of the local area and the amenities of local residents. These issues are covered by Policy H13 of the City of Durham Local Plan. It is also appropriate to take PPG8 into account, through which the Government encourages interest in amateur radio.

Impact upon Character and Appearance of the Local Area

13. The antenna which would be mounted to the rear elevation of the property would have a minimal impact upon the street scene in the immediately surrounding area due to limited public visibility. The antenna would not be apparent from the A690 which passes to the north west, and while visible from Deans Walk it would not be overly prominent, being set back some 20 metres from the road. Likewise, it would have little or no visibility from Pilgrims Way to the south east, being set away by a distance of approximately 45 metres.

14. Officers note that the antenna may not be a structure that adjacent occupiers would expect to see on a bungalow within what is a highly residential area and it is acknowledged that the antenna would be especially prominent from the rear gardens of the four immediately neighbouring properties on Deans Walk and Pilgrims Way. The antenna does project above the ridgeline of the bungalow, however the main antenna would be placed just 1.6m above the ridgeline, enabling it to retain a close relationship with the host dwelling. The supporting pole and antenna are of slender design and limited in bulk. There would therefore be no issues concerning loss of light or overshadowing and loss of outlook would be extremely minimal.

15. The two 5 metre high posts with linking wire are not considered excessively apparent or detrimental to the appearance or character of the area. The post to the rear would be obscured amongst hedging and foliage, while the post to the front would sit in the company of street furniture of a similar height. Both posts would only very marginally exceed the height of the bungalow by 20cm.

Other Issues

16. In times of Civil Emergency such radio equipment can be used to supplement or provide a back up to more widely used forms of communication.

17. Issues of potential radio or television interference cannot be given significant weight in consideration. Amateur radio operators are licensed by the Home Office and are required by wireless telegraphy legislation to avoid creating undue interference with other electrical equipment. Ministerial advice is contained in PPG8 paragraph 102 and annex 2 which makes it clear that in most situations questions of radio interference are not relevant to the determination of planning applications for an antenna.

18. As PPG1 outlines, it is not for the planning system to protect the private interests of one person against the activities of another, and as such potential negative impact upon property value cannot be afforded significant weight. Likewise, although objectors have concerns over loss of view, this cannot be afforded great weight and is considered extremely limited in extent by Officers in any event.

19. Representations have been made concerning safety issues with the proposed structure. Officers consider the structure to be sturdy in design and moreover, consider that it would also be in the applicant's interest to ensure the antenna was safe and secure. In times of high wind which could cause potential threat to the antenna, it could be easily winched to ground level.

20. Time limiting conditions were discussed but were not considered appropriate given the likelihood that the applicant wishes to use the antenna at various times of day. Use of the equipment would be highly dependant on suitable atmospheric conditions and officers consider it likely that the antenna would be winched to ground level for some periods.

CONCLUSION

21. In summary, and on balance, Officers consider the application to be acceptable. It is considered that the antenna, by virtue of its minimal impact upon the street scene and close relationship to the host dwelling would not have a significant adverse effect on the character or the appearance of the area or the amenities of local residents. Further, PPG8 encourages the pursuit of amateur radio as a hobby.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans (Proposed Plans received 9th August and 16th September 2010). Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy H13 of the City of Durham Local Plan.

REASONS FOR THE DECISION

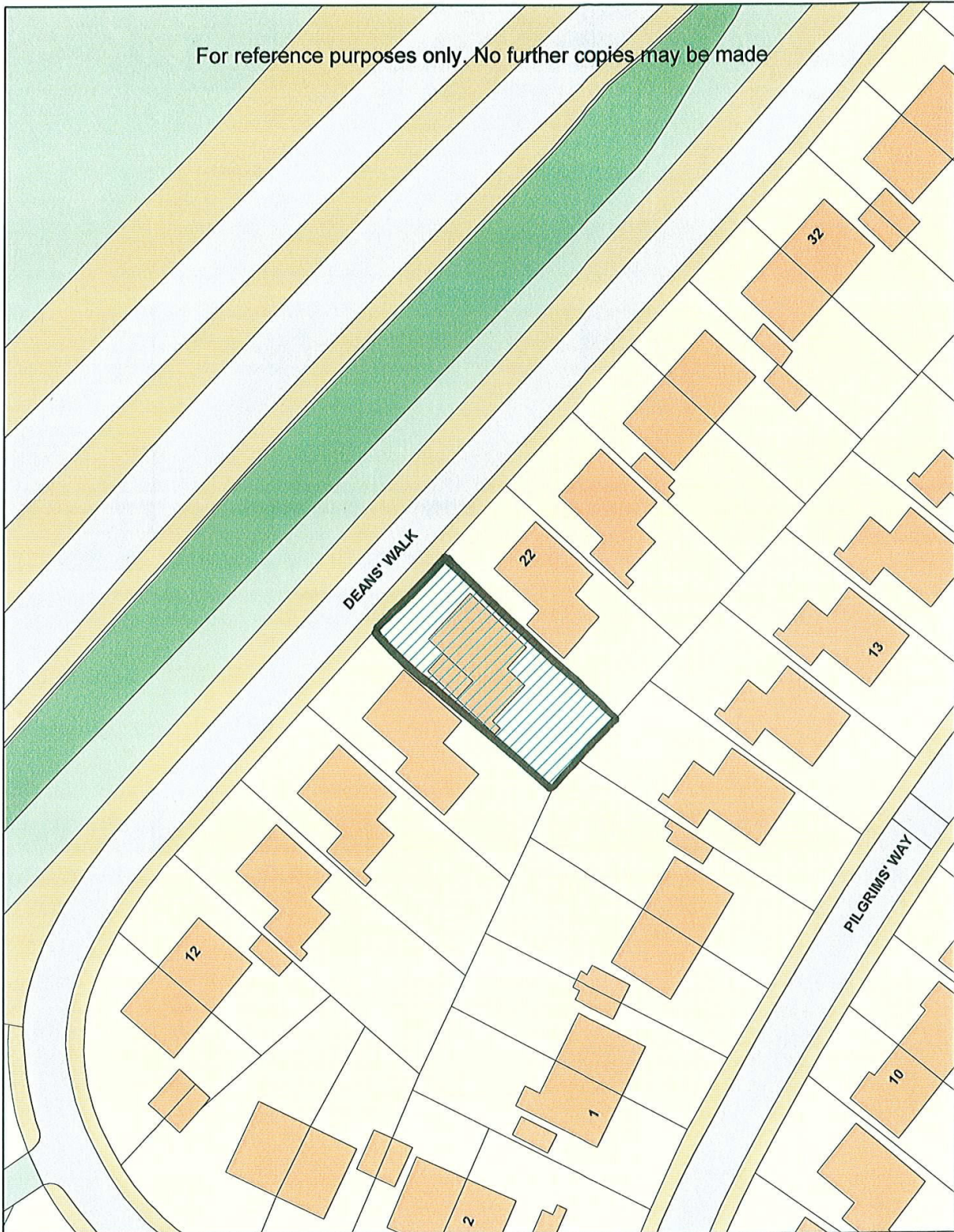
1. The local authority considers that the antenna, by virtue of its minimal impact upon the streetscene and close relationship to the host dwelling would not have a significant adverse effect on the character or the appearance of the area or the amenities of local residents having regard to Policy H13 of the City of Durham Local Plan 2004.
2. In particular the development was considered acceptable having regard to issues surrounding the impact upon the development on the character and appearance of the residential area.
3. Grounds of objection relating to the proposals were carefully considered but were not considered to be sufficient to lead to reasons on which to refuse the application in view of the accordance of the proposals with relevant development plan policies combined with appropriate planning conditions.

BACKGROUND PAPERS

Submitted Application Forms and Plans and associated documents
City of Durham Local Plan 2004
Planning Policy Statements and Guidance - PPS1 and PPG8
Circular 01/06: Guidance on Changes to changes to the Development Control system
Circular 11/95: Use of Conditions in Planning Permission
Town and Country Planning Use Classes Order (as amended 2006)
Responses from public and statutory contributors
Various File notes and correspondence



For reference purposes only. No further copies may be made



Planning Services

4/10/562/FPA - 20 Deans Walk, Gilesgate

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Comments

Date

01 November 2010

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