

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 14 December 2011 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher (as substitute for Councillor A A Meredith), K R Guy, A S Jhawar, R T Kiernan, S A W Reynolds and C R Turley

PB-062 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on Wednesday, 16 November 2011 be confirmed and signed by the Chairman.

PB-063 APOLOGIES FOR ABSENCE

Councillors J Loveridge and A A Meredith

PB-064 DECLARATIONS OF INTEREST

None.

PB-065 DEFERRED/WITHDRAWN APPLICATIONS

None.

PB-066 SITE VISITS

None.

PB-067 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Board and fully considered each report.

- (a) TWC/2011/0658 - 53 Newport Road, Edgmond, Newport, Shropshire, TF10 8HG

This application had been deferred at the meeting of the Plans Board on 16 November 2011 to enable Members to undertake a site visit. The application was for the erection of a single storey rear extension to a semi detached bungalow and all details were set out in the report.

Councillor R Higginson, Vice-Chair at Edgmond Parish Council, spoke in opposition to the application focussing on the size of the development, loss of light to the neighbouring property and a breach of the 45° rule. Councillor Higginson also argued that the recent rental history of the property presented concerns regarding the potential for student accommodation and the probable loss of affordable housing in the locality.

Ms L Blagden, a local resident, expressed her opposition to the proposals specifically regarding loss of light, breach of the 45° rule and the possible availability of the property for rent to increasing numbers of tenants which would impact upon highway use and traffic safety.

The Applicant, Mrs R Snaith, addressed the Board asserting that the property was intended to be a retirement home for the applicant and the extension was intended to create living space. During discussions with the architects, the applicant had been considerate of neighbours and hoped that when the applicant occupied the property it would be possible to tidy the appearance and landscape the garden.

The Planning Officer explained the significance of the 45° rule to the Board Members who noted that the rule was a guideline and not set in legislation. Members considered whether a condition could be included to ensure the extension was not used for a bedroom but noted that this would not be appropriate in the circumstances. Members were also mindful of the larger units which could be erected on the land within permitted development.

RESOLVED – that with respect to planning application TWC/2011/0658 planning permission be granted subject to the conditions as set out in the report.

(b) TWC/2011/0764 - The Priorslee, Priorslee, Telford, Shropshire, TF2 9SW

This was a retrospective application seeking consent to display 14 advertisements on and around the Priorslee Public House off Priorslee Avenue in Priorslee. All the signs were direct replacements for ones which were approved in 2006 and 2007 and which were displayed in and around the site until early in 2011. Full details of the signs were set out in the report and photographs were displayed.

Councillor I T W Fletcher, Ward Member, had requested that the application be determined by the Plans Board. Councillor Fletcher addressed the Board in opposition to the application expressing his dismay that this was a retrospective application although he was appreciative of the enforcement action which had taken place that had resulted in the original, larger, sign being taken down. The large sign on Priorslee Avenue in particular caused particular visual intrusion due to its garish colour scheme, and he believed it had a detrimental impact.

Members were disappointed that the applicant had erected the signs without planning permission but the majority of Members did not consider them visually intrusive and did not believe there were grounds to refuse the application. However, the Head of Housing and Planning agreed to clarify with colleagues in the Property Unit as to whether the land was in fact Council owned and whether consent had been given to erection of signs on Council owned land.

RESOLVED – that with respect to planning application TWC/2011/0764, subject to two free-standing signs being relocated outside the adopted highway, the Head of Housing & Planning be authorised to grant advertisement consent subject to the conditions set out in the report.

- (c) TWC/2011/0811 - Greenfields Farm, Brockton, Newport, Shropshire, TF10 9EP

The application site (Greenfields Farm) was also known as Warner's Roses and consisted of a rose business and farm with a single storey dwelling and several timber and block outbuildings, a glass house, garaging and a Dutch barn. It was proposed to move the rose business to Devon and erect 14 no. near zero-carbon footprint age-restricted dwellings (8 x 2 bedroomed houses, 2 x 3 bedroomed houses and 4 x 3 bedroomed flats) and 14 garages (with a practice bowling green on the roof) to include 4no. affordable dwellings together with associated gardens/allotments and 14 gardening sheds, a bin buggy storage, bin store, 7 visitor spaces and the erection of 1no. double garage to be used in conjunction with the existing dwelling and improvements to the existing access. Full details of the proposals were set out in the report.

Members considered that this was not an appropriate site for the proposed development and also raised concerns regarding highways and flooding.

RESOLVED – that planning application TWC/2011/0811 be refused for the following reasons:-

- (a) **The Local Planning Authority considers that the erection of 14 additional dwellings on this highly unsustainable site is unacceptable as it is outside the settlements of High Ercall, Tibberton and Waters Upton. Furthermore, no information has been received to demonstrate that there are material considerations to justify this proposal as an exception to general housing policy. Accordingly, the proposal is contrary to “saved” policies H10 and H24 of the adopted Wrekin local Plan 1995-2006 and policies CS1 and CS7 of the Local Development Framework Core Strategy, 2007 and national guidance contained within PPS1, PPS3 and PPS7.**
- (b) **The Local Planning Authority considers that the proposed development has the appearance of a modern housing scheme more suited to the urban area. Therefore, the proposed development fails to respect or relate positively to its context and fails to enhance the quality of the local environment through high quality and, appropriate and distinctive design. Accordingly, the proposal is contrary to “saved” policies UD2 of the adopted Wrekin local Plan 1995-2006 and policy CS15 of the Local Development Framework Core Strategy, 2007 and national guidance contained within PPS1 and PPS3.**
- (c) **The Local Planning Authority considers that proposal to erect 14 new dwellings in the open countryside would exceed the maximum housing numbers permitted in the rural area and undermine the Core Strategy approach. Accordingly, the proposal is deemed contrary to policy CS1 of the Local Development Framework Core Strategy, 2007.**

- (d) **The Local Planning Authority considers that insufficient information has been submitted to demonstrate that the trees and any protected species on the site will not be adversely affected by the proposed development. Accordingly, the proposal is deemed contrary to “saved” policy OL11 of the adopted Wrekin local Plan 1995-2006, policy CS12 of the Local Development Framework Core Strategy, 2007 and national guidance contained within PPS9.**

(d) TWC/2011/0894 - Station House, Barkers Court, Madeley, Telford, Shropshire, TF7 5AL

This was a Council application which sought planning permission for the change of use of a Day Service Resources Centre to create a single residential dwelling with associated landscaping. The proposals were set out in full in the report.

RESOLVED – that with respect to planning application TWC/2011/0894 planning permission be granted subject to the conditions as set out in the report.

PB-068 ANNOUNCEMENTS

The Chair made a number of announcements:-

- (a) An additional meeting of the Plans Board had been arranged to take place at 6.00pm on Tuesday, 10 January 2012 in the Reception Suite;
- (b) The meeting on 15 February 2012 had been moved to 22 February 2012; and
- (c) Members were reminded of the guidance which should be followed regarding site visits to ensure transparency and fairness. The Chair raised particular concerns regarding informal site visits and requested Members to avoid any informal site visits and make every effort to attend officer-organised formal site visits. He also reminded Board Members to demonstrate an open-mind if they became subject to lobbying regarding planning applications. Details of the site visits for the major planning applications in Newport would be disseminated as soon as arrangements had been made.

The meeting ended at 6.51pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL

PLANS BOARD

10/01/2012

Schedule 1 - Planning applications for determination by Board

TWC/2011/1026 Highway Verge, Castle Farm Way, Priorslee, Telford, Shropshire Determination under Part 24 of the GPDO for the erection of a 12.5m high street works column, installation of antennas, meter cabinet and a radio equipment enclosure and associated works **2**

TWC/2011/1026 Highway Verge, Castle Farm Way, Priorslee, Telford, Shropshire Determination under Part 24 of the GPDO for the erection of a 12.5m high street works column, installation of antennas, meter cabinet and a radio equipment enclosure and associated works

APPLICANT
O2 & Vodafone

RECEIVED
22/11/2011

PARISH
St. Georges and Priorslee

WARD
Priorslee

THE WARD MEMBER, COUNCILLOR IAN FLETCHER, HAS REQUESTED THAT THIS DETERMINATION SHOULD BE CONSIDERED BY THE COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: YES

MAIN ISSUES: The siting and appearance of the telecommunications installation and its visual impact on the surrounding area.

THE PROPOSAL:

This is an application for a determination as to whether prior approval will be required in relation to the siting and appearance of a 12.5 metre high slim line telecommunications monopole along Castle Farm Way in Priorslee. It seeks to find an alternative location following the refusal of a 14.8 metre high monopole mast on Priorslee Avenue (ref: TWC/2010/0745) earlier in the year.

This is a site sharing facility for Vodaphone and O2. Both companies have entered into a network sharing agreement in order to share equipment on sites across the country, thereby reducing the overall number of installations required. The applicants have stated that the proposal is required in order to increase 2G network capacity to the Priorslee area and also provide 3G coverage.

Both the Vodaphone and O2 antennae are situated within the monopole at a height of 11.05 metres above ground level. All the antennae are contained within a smooth circular sheath.

There would also be a ground equipment cabinet at the base of the pole measuring 1.89m in length, 0.79m in width and 1.65 metres in height. The monopole would be coloured grey and the equipment housing would be coloured green.

The proposed monopole would be situated on the grass highway verge on the northern side of Castle Farm Way, approximately 90 metres east of a footpath and cycleway under the main road. The equipment cabinet would lie behind an existing Armco road safety barrier.

It is anticipated that planned highway improvement works at the junction of Castle Way Farm with Priorslee Avenue (including the installation of traffic lights) would directly affect the siting of the proposed monopole. Therefore, the applicants will be submitting amended plans showing the monopole re-sited behind the road safety barrier. This is regarded as a very minor amendment as the monopole will only be relocated about three or four metres further away from the road. However, it is considered that all the main issues regarding the installation of the mast would still apply in this new location, and these are all examined and assessed in this report. The Ward Members, the Parish Council, and local residents will all be re-consulted, and Members will be fully updated on the matter at the Plans Board meeting.

SITE AND SURROUNDINGS:

Castle Farm Way leads from Junction 4 of the M54 motorway to St Georges and the eastern parts of Telford. The application site lies within the Priorslee residential area, and the surrounding area consists exclusively of low density detached houses.

Directly adjacent to the application site is a copse of trees. These trees attain 11 metres at their highest point. On the opposite side of Castle Farm Way are a line of street lighting columns approximately 12 metres in height.

PLANNING HISTORY:

There is no planning history relating to a telecommunications mast on this particular site. However, in January 2011 a Determination under Part 24 of the GPDO (ref: TWC/2010/0745) to erect a 14.8 metre high monopole in Priorslee Avenue (approximately 250 metres from the current application site) was refused by Plans Board on the grounds of:-

- (a) The proposed mast will be visually intrusive in this location due to its height and siting, and
- (b) Due to inadequate pre-application consultation with local Ward Councillors alternative sites have not been fully explored

This application was subsequently dismissed at appeal in August 2011. The Inspector considered that although the monopole would not appear out of place as seen by passing motorists, cyclists or pedestrians in the street scene, it would appear prominent and obtrusive when viewed from an area of public open space which is at a lower level than the road.

The Inspector also believed that there were other alternative locations that could have been identified for the monopole, and that these had not been fully considered and assessed. However, she dismissed the issue of the alleged health aspects of the proposal, stating that there is little objective evidence to support local fears that the monopole would have an adverse effect on people's health and well-being.

Since this decision was made the applicants have been endeavouring to find an alternative location within the required target coverage area.

PLANNING POLICY CONTEXT:

Wrekin Local Plan Policy T21: Telecommunications.

This policy emphasises the requirement to balance the need for telecommunication systems with the need to minimise the proposal's visual impact on the surrounding area. Evidence should be provided to show that every effort has been made to erect the apparatus on existing buildings, masts, and other structures, and to share apparatus with other operators.

In May 2009 the Council adopted a Supplementary Planning Document titled 'Telecommunications Development' which provides guidelines relating to the Council's planning approach towards telecommunications development in the Borough. The key points of this document are as follows:-

- The Council should not question the need for the telecommunications system which the proposed development is to support.
- Operators are expected to undertake pre-submission discussions with the Council, Parish Councils, and other residential groups to discuss service objectives, technical constraints, and environmental implications. Discussions should also be held with schools and nurseries if they are within 200 metres of the proposed development.
- Mast sharing is encouraged and full consideration should be given to using existing buildings and structures.
- Telecommunications development should take into account the height of the site in relation to surrounding land, the existence of topographical features and vegetation, and the effect on the skyline or horizon.
- Monopoles and their associated ground equipment should be painted in an appropriate colour to mitigate the visual impact of the installation.
- All applications must include an ICNIRP Declaration that the electromagnetic emissions from a mast or monopole will be in compliance with the ICNIRP guidelines for public exposure.
- 'Slimline' monopoles may be acceptable in residential areas, provided they are not unduly prominent in the street scene and are in keeping with the scale and appearance of the existing street furniture. The installation should not add significantly to the existing street 'clutter'.
- Operators will be expected to examine alternatives to establishing new masts, including the use of existing buildings.
- The proximity of telecommunications installations to residential property is not a material planning consideration unless it would have a significant impact, due to its siting and appearance, on visual amenity.

Planning Policy Guidance Note 8: Telecommunications (PPG8)

This sets out the Government's policy for the planning of telecommunications development. PPG8 encourages local planning authorities to respond positively to telecommunications proposals while protecting the environment from visual intrusion.

ODPM: Code of Best Practice on Mobile Phone Network Development.

The Code provides practical advice on the siting and design of telecommunications development in order to minimise the environmental impact of installations.

CONSULTATION RESPONSES:

The Ward Member, Ian Fletcher, objects to the proposal on the following grounds:-

- It is situated close to an access point and located near a Primary school, against PP8 guidelines
- It will be a visual intrusion and have a detrimental effect on the amenity of nearby residents.

The Parish Council objects on the grounds that the mast in this location would be a safety hazard to motorists, creating an adverse visual impact. The mast site is too close to Redhill Primary School and could create health hazards to nearby residents.

To date 67 letters/e-mails have been received objecting to the proposal, the grounds of objection summarised as being;-

- Would be detrimental to the visual amenities of the area
- Out of character with this part of Priorslee
- Health implications for young children playing on the adjacent playing field, and all children living locally
- Effects on health due to harmful emissions
- Too close to houses and to Redhill Primary School
- Lies close to an area of open space regularly used by children
- This is a poor choice of location
- Existing sites should be upgraded
- This could lead to a proliferation of these masts
- It will be an eyesore and will be subjected to vandalism
- Should not be located within a densely populated area
- There are better sites available away from residential areas
- Detrimental effect on property values
- Highway safety would be jeopardised
- Existing signal strength for Vodaphone and O2 is not a problem in this area

A petition containing 174 names has also been received objecting to the application.

The Council's Highways Engineer has objected to the application because proposed road improvement works at the junction of Castle Farm Way with Priorslee Avenue would directly affect the site of the proposed monopole. As mentioned earlier, the applicants will be submitting amended plans showing

the monopole re-sited behind the road safety barrier, three to four metres from the present location.

SUPPORTING INFORMATION FROM THE APPLICANTS:

The applicants have submitted the following additional information in support of their application:-

- PPG8 clearly states that local authorities should not question the need for telecommunications installations. The sharing of sites between telecommunications operators is one of the key strategic policy principles contained within PPG8.
- The site is required to provide new 3G coverage for O2 and Vodafone. The apple i-phone and the widespread use of 'dongles', which provide a mobile broadband service for laptops, means that there is a huge need for further 3G capacity across the whole country. In addition, people are increasingly using mobile operators to provide their only home phone line and broadband connection. This increases the demand for base stations within residential areas. Mobile phone base stations operate on low power and, accordingly, base stations therefore need to be located in the areas they are required to serve.
- The cell search areas for 3G are extremely constrained, with a typical cell radius of 250 metres, meaning it would not be feasible to site the monopoles outside these areas.
- Following the dismissal of the appeal for a monopole in Priorslee Avenue in August 2011 the applicants began thoroughly searching for an alternative location. They also contacted the local Ward Councillors, the Parish Council, and the local Member of Parliament for their views and opinions.
- The Ward Councillors objected to the site now being proposed for the monopole because they felt it provided a visual intrusion into the area, disturbed the amenity of local residents, and was near to a footpath that provides access for children walking to Redhill Primary School. They suggested that alternative locations at Ricoh and the University should be investigated.
- These two alternative locations were subsequently assessed but had to be discounted because they were too far away from the target coverage area. Other sites explored, but also discounted, were the Priorslee Public House – too far south of the target area – and the Co-op and shops in Priorslee Avenue – buildings are too low to provide coverage, and it is adjacent to a day nursery. There are no other suitable buildings or other structures within the cell search area which could be used.
- There is no existing telecommunications apparatus within the target coverage area which is available for sharing.
- This site is the most suitable option available that balances operational need with local planning policies and national policy guidance.
- In selecting this location it has been possible to reduce the height of the monopole from 14.8 metres to 12.5 metres.

- The mast is a slimline monopole, a type that has been used across the whole country.
- The site is well shielded by tree cover, having been set against a backdrop of mature trees that reach 11 metres in height, with further tree banks on the opposite side of Castle Farm Way.
- The site has been carefully chosen, adjacent to a busy road, so as to have minimal visual intrusion on existing residential properties, with many views of it being masked by the tree coverage.
- The proposed monopole has been influenced by the numerous 12-metre high street lighting columns running along Castle Farm Way which have similar vertical lines to the proposed facility. Its design will therefore minimise its visual impact upon the street scene.
- At only 12.5 metres in height the proposed installation will only be 0.5 metre taller than the existing street lamps on Castle Farm Way, and thus the single monopole cannot be deemed to be visually intrusive or unduly prominent in the street scene. (In the previous application the monopole was 5 metres higher than the adjacent lamp posts).
- The chosen location will have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area.
- The proposed monopole has been designed and sited to minimise its visual impact, and is 2.3 metres lower than the one in the previous application. The development complies with both Central Government and local planning policy guidance, where the underlying aim is to provide an efficient and competitive telecommunications system for the benefit of the whole community, whilst minimising visual impact and intrusion.

PLANNING CONSIDERATIONS:

This is a telecommunications determination application and therefore the decision whether to give or refuse prior approval must only be based on the siting and appearance of the installation.

The proposed monopole would be situated on the grass verge adjoining Castle Farm Way, and the equipment cabinet would lie behind an existing Armco road safety barrier. Behind these structures is a well established copse of trees, extending up to 11 metres in height, which would provide an effective screen from the houses at the rear, the nearest of which is approximately 35 metres away.

By selecting this location the applicants have been able to reduce the height of the monopole from 14.8 metres down to 12.5 metres, which is only 0.5 metre higher than the existing street lights that line Castle Farm Way.

The applicants have undertaken a thorough and extensive search within the cell search area for a suitable site for the monopole. There is no existing telecommunications apparatus which is available for sharing, and no other buildings or structures within the required coverage area which could be used.

The applicants believe that the chosen site is the most suitable option that balances technical and operational requirements with local planning policies and national planning policy guidance, and also the need to minimise the environmental impact of the development.

Slimline monopoles are now relatively common in urban areas and generally fit into the roadside context. Although the proposed monopole would differ in appearance from the existing angled street lighting columns, it would be in effect an additional item of street furniture and as such it would not be an alien feature to the street scene nor significantly visually intrusive. Its location within the grass highway verge will not form an incongruous or unduly prominent feature on the skyline or on the street scene. In addition the monopole will be viewed in relation to the trees located beyond the grass verge which serve to reduce the visual prominence of the mast. There is no fenced compound proposed, and it is normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads all around the country.

There is much public concern concerning the possible adverse health impacts of telecommunication development. However consideration of this application should follow the advice given in PPG8. Paragraph 98 states: *“..it is the Government’s firm view that the planning system is not the place for determining health safeguards. It remains central Government’s responsibility to decide what measures are necessary to protect public health. In the Government’s view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”*

The requisite ICNIRP certificate has been submitted with this application which confirms that the site and the proposed emissions would comply with the appropriate guidelines. Recent High Court and Court of Appeal decisions in relation to planning appeals for telecommunications equipment have established that when evidence is submitted to confirm that an installation falls within the ICNIRP guidelines, that a perception of fear or concerns about health issues do not provide justification for a Council to refuse an application.

Therefore, the proposed monopole is considered an acceptable installation in this urban residential area, where the appearance of a slimline monopole would not detract from the character of the area. The siting and design of the proposed development will ensure that there is no adverse impact on the character and appearance of the locality and the general street scene. Furthermore, proximity to dwellings is not a planning issue provided that the application includes an ICNIRP Declaration regarding emissions, which this application does, and that the installation satisfies normal planning considerations regarding the siting and appearance of development.

It is considered that the proposed monopole would not appear as an intrusive or unduly prominent feature on the skyline or in the street scene. Its visual impact to both local residents and highway users will be relatively

insignificant. Therefore, the overall impact of the installation on the visual amenities of the surrounding area is considered to be acceptable.

DETERMINATION:

The proposed 12.5 metre high slim line telecommunications monopole does not require a full planning application, and therefore **prior approval is given** for the siting and appearance of the telecommunications installation and its permitted development rights are hereby confirmed.