

SECTION 2 – ITEM 9

Application No:	20/P/0926/TEA	Target date:	18.06.2020
Case officer:	Ellena Fletcher	Extended date:	
Parish/Ward:	Weston-super-Mare Milton	Ward Councillors:	Councillor Catherine Gibbons Councillor Richard Tucker
Applicant:	Hutchison 3G UK LTD		
Proposal:	Application to determine if prior approval is required for the proposed erection of a 20m. Phase 8 Monopole with wraparound cabinet at base and 3no. equipment cabinets.		
Site address:	Land at junction of Hughenden Road and Summerlands Road, Weston-super-Mare		

REFERRED BY COUNCILLOR GIBBONS

Procedure

The installation, alteration or replacement of any electronic communications apparatus constitutes permitted development (subject to limitations) which does not require a planning application. The developer however must apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to the **siting** and **appearance** of the development. This application is seeking such a determination and as such is not a “conventional” planning application.

Paragraph 116 of the NPPF outlines that LPAs should consider telecommunications equipment on planning grounds only. Therefore, matters relating to public health cannot be considered against any other guidance than the International Commission.

Summary of recommendation

It is recommended that Prior Approval is required and is **REFUSED**. The full recommendation is set out at the end of this report.

The Site

The proposed site is located on a highway verge which adjoins the junction between Summerlands Road and Hughenden Road. The verge is a green open space which is sited amongst residential properties in the surrounding local area.

The Application

Prior approval is sought for:

- the proposed erection of a 20m. Phase 8 Monopole with wraparound cabinet at base
- 3no. equipment cabinets.

Relevant Planning History

No recent planning history

Policy Framework

The site is affected by the following constraints:

- Within the settlement boundary for Weston-super-Mare
- NS and Mendip SAC Bat Zone C
- Flood Zone 3a

The Development Plan

North Somerset Core Strategy (NSCS) (adopted January 2017)

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
CS1	Addressing climate change and carbon reduction
CS2	Delivering sustainable design and construction
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS20	Supporting a successful economy

Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016)

The following policies are particularly relevant to this proposal:

Policy	Policy heading
DM1	Flooding and drainage
DM8	Nature Conservation
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM25	Public rights of way, pedestrian and cycle access
DM32	High quality design and place making

Sites and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018)

The following policies are particularly relevant to this proposal:

Policy	Policy heading
SA6	Undesignated Green Spaces

Other material policy guidance

National Planning Policy Framework (NPPF) (February 2019)

The following is particularly relevant to this proposal:

Section No	Section heading
1	Introduction
2	Achieving Sustainable Development
3	Plan-making
4	Decision-taking
8	Promoting healthy and safe communities
10	Supporting high quality communications
11	Making effective use of land
12	Achieving well designed places

Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014)
- North Somerset Parking Standards SPD (adopted November 2013)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)

Consultations

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Third Parties: 24 letters of objection have been received. The principal planning points made are as follows:

- Proposed mast would be too high and harmful to the character of the area
- Additional bulk and colour of the cabinets would be harmful to the character of the area
- Health concerns regarding 5g masts
- Proposed cabinets will reduce vehicle and cyclist visibility

Weston-super-Mare Town Council

Objection: "The Town Council consider that there is merit to the residential objections to the siting of an excessively high monopole and large unsightly accompanying units which would take a large amount of green space from the Summerlands which is currently used for the purpose of public amenity and exercise. In addition there are complaints that insufficient notice has been given to neighbouring properties."

Principal Planning Issues

The principal planning issues in this case are (1) availability of alternative sites, (2) character and appearance, (3) impact on health, (4) highway safety, (5) setting of a listed building, and (6) other matters.

Issue 1: Availability of alternative sites

Section 10 of the NPPF supports the development of advance, high quality communications infrastructure. Paragraph 113 however requires that LPAs “should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network.” As part of this operators should seek to use existing masts, buildings and other structures first. The creation of a new site would need to be justified, and where required must be sympathetically designed and camouflaged (where appropriate).

The site selection process by the applicant appears to have been limited. The Supplementary information submitted with the application attempts to justify the site search by explaining the proposed coverage area is very constrained. The supporting information references a couple of sites which were reviewed but dismisses these without any thorough assessment. It is unclear why other suitable sites such as the South West Skills Campus of Weston College were not considered in any detail.

Overall, it is considered the site selection has not been extensive enough. Therefore, the proposal is considered to be contrary to guidance set out in Section 10 of the NPPF.

Issue 2: Character and appearance

Policy CS12 of the Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1) require a high standard of design in all new developments. These policies require that development is sensitively designed to respect the character of the site and its surroundings, taking the opportunity to enhance an area where relevant. In particular, consideration will be given to the siting, soft and hard landscaping, levels, density, form, scale, height, massing, detailing, colour and materials of a development and whether these characteristics respect those of the existing site and the surrounding area.

Policy SA6 of the Sites and Policies Plan (Part 2) Sites Allocations Plan seeks to protect undesignated green space from unsympathetic development. The proposed site is a grass verge which is adjacent to Hughenden Road and Summerlands Road. The surrounding area is made up of residential dwellings. The site is open which helps to create a spacious character to the local area and is adjoined by a Public Right of Way and a cycle path. There are also high hedgerows and trees which contribute to the greenery and openness of the area.

The proposed 20-metre-high monopole would be extensively higher than the surrounding trees which are approximately 7 metres in height and any surrounding street lights. The proposed site is open and is located near a junction. This would increase the prominence of the proposal and would allow views from a much greater distance. When approaching the site from the north and south of Hughenden Road or the east and west of Summerlands Road, the monopole would be viewed against the skyline. Due to the proposed height of the monopole, the surrounding trees would not effectively screen or

mitigate against the impact on the surrounding area. The top of the mast would also be a bulky addition to the skyline and would increase the prominence.

The proposed site is mainly in a residential area, as result the proposed monopole would have a substantial visual presence when viewed from the adjoining buildings. It would visually disrupt the sense of openness created by the existing green space.

The grass verge and the surrounding area is characterised by greenery and openness from the grass, trees and hedgerows. Furthermore, the site is level, and this reduces an opportunity for screening. The proposed design of the monopole and cabinets have not been camouflaged to integrate with the site. Consequently, the proposed colour and height would cause the mast to appear unduly prominent and intrusive.

The benefits of the scheme are not considered to outweigh the harm when considering the limited site selection process and the harm to the character of the area. Therefore, it is considered the mast would unacceptably harm the character of the area, create unsympathetic development on an undesignated green space and appear an intrusive feature in the street scene. The proposal is therefore contrary to policy DM32 in the North Somerset Sites and Policies Plan Part 1 and Policy SA6 in the North Somerset Sites and Policies Plan Part 2.

Issue 3: Health impacts

There were a number of concerns raised regarding whether the proposed mast would cause harm to public health. The applicant submitted an International Commission on Non-Ionising Radiation (ICNIRP) compliance notice to demonstrate the proposal complies with public health requirements of the ICNIRP. The ICNIRP guidelines are supported by the UK Government, the European Union and the World Health Organisation. Paragraph 116 of the National Planning Policy Framework advises the LPA should consider proposals on planning grounds only and they should not set health safeguards different from the ICNIRP. Consequently, health concerns raised by local residents are not supported by the NPPF or fall outside the scope of this decision.

Issue 4: Highway Safety

Policy DM24 does not permit development where it may cause harm to highway safety. There were a number of concerns the proposal would obscure visibility to vehicle users and cyclists. However, as the proposed infrastructure would be set back from the highway, it would not impede visibility to an extent an objection could be sustained.

Issue 5: Setting of Listed Building

The proposal does not affect the setting of any listed buildings.

Issue 6: Other matters

Other matters have been raised by consultees, namely loss of view and the devaluation of property. However, such matters carry very little weight in the determination of planning applications. There were also concerns the proposal may attract vandalism and crime. However, the proposed site is open and benefits from street lighting which increased the

surveillance of the area. Therefore, this matter would be dealt with under different legislation.

The Crime and Disorder Act 1998

The proposed development will not have a material detrimental impact upon crime and disorder.

Conclusion

It is considered the site selection has not been extensive enough and as such the proposal is considered to be contrary to guidance set out in Section 10 of the NPPF.

The benefits of the scheme are not considered to outweigh the harm when considering the limited site selection process and the harm to the character of the area. It is considered the mast would unacceptably harm the character of the area, create unsympathetic development on an undesignated green space and appear an intrusive feature in the street scene. The proposal is therefore contrary to policy DM32 in the North Somerset Sites and Policies Plan Part 1 and Policy SA6 in the North Somerset Sites and Policies Plan Part 2.

RECOMMENDATION: That Prior Approval is required and is **REFUSED** for the following reason:

1. The proposed development, by reason of its siting, appearance and height will be out of keeping with the character of the area and will result in a visually intrusive feature in the street scene and on an undesignated green space, contrary to policies CS5, CS9 and CS12 of the North Somerset Core Strategy, policy DM32 of the North Somerset Sites and Policies Plan (Part 1) and policy SA6 of the North Somerset Sites and Policies Plan Part 2.