

PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**11 October 2006**Attendance:

Councillors:

Read (Chairman) (P)

Huxstep (P)

Jeffs (P)

Saunders (P)

Sutton (P)

Others in attendance:

Councillors Bennetts and Pearce (Ward Members for St Pauls)

Officers in attendance:

Mr T Patchell (Senior Planning Officer)

Mr B Lynds (Principal Legal Officer)

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1. **REPLACE EXISTING 15 METRE HIGH TELECOMMUNICATIONS MAST WITH 20 METRE HIGH MONOPOLE AND ASSOCIATED WORKS – TEG DOWN RESERVOIR, SARUM ROAD, WINCHESTER – REF 06/02646/FUL**
(Report PDC650 refers)

The Sub-Committee met adjacent to Teg Down Reservoir, Sarum Road, Winchester.

The site was a covered reservoir with two existing masts close to Sarum Road and a 15 metre high mast (which was to be replaced by this application) situated towards the rear of the site in the north west corner. To the west of the site (and adjacent to the existing 15 metre high mast) was a substantial belt of trees with Sarum Road Hospital beyond. Immediately to the east of the reservoir was a cleared site on Chilbolton Avenue for proposed residential redevelopment and with other residential properties beyond.

The Chairman welcomed to the meeting Ms Marsden from AWA (representing the applicant "3"). Also present were four members of the public.

Mr Patchell explained that a full planning application had been received from Hutchinson 3g to replace an existing 15 metre high telecommunications mast with a 20 metre high monopole and associated works. Mr Patchell reminded Members that the applicant had permission for a replacement 20 metre high mast approximately 4 metres to the north of the current application site. This permission had yet to be implemented. He explained that should the existing permission be implemented it would require that the adjacent trees were cut back. Mr Patchell confirmed that the existing 15 metre high mast would be removed if permission were granted.

Councillor Pearce queried as to why the coverage provided by the existing 15 metre high mast had been found insufficient only after its construction. Councillor Bennetts

requested clarification of the coverage area to be provided and whether schools in the locality had been consulted regarding the new application.

At the invitation of the Chairman, Ms Marsden responded to questions. She confirmed that the proposal, in comparison to the current mast or the mast for which permission had already been granted, would not have a greater intensity of signal but that the additional five metres was required to improve the required coverage. During discussion, Members agreed that an additional condition be added to any subsequent approval of the application to specify that the configuration of the antennae should be exactly the same as those on the existing 15 metre structure.

Referring to the matters raised by Ward Members, Ms Marsden advised that there had not been extensive consultation with schools as it had been considered that the principle of the location, height and bearing had been already established by the previous application. Furthermore, the proposed monopole would be the same design and materials, although may be slightly wider towards the base to accommodate the additional height and was likely to utilise the existing concrete plinth. Referring to the queries regarding the deficiencies of existing coverage (that had not been apparent before the mast was implemented) Ms Marsden reported that, generally, only estimates could be provided prior to an actual signal being switched on. In this case, it only then become apparent that the 100% coverage previously predicted could not be met by a 15 metre high structure.

At the invitation of the Chairman, Mrs Barrett addressed the Sub-Committee. In summary, she was critical of the Council's consultation procedure regarding the proposals. She suggested that this had been based on that previously undertaken two years ago for the 20 metre structure. Mrs Barrett added that due to nearby demolition and development; the application site had significantly changed from when the previous application had been approved two years ago. Furthermore, with regard to health concerns, as residential development in the area was now more intensive than it was at the time of the previous application, the careful siting of the mast was particularly important.

Mrs Barrett also referred to administrative errors regarding the placing of site notices and the issuing, in error, of a decision notice regarding the application in advance of its determination. This had subsequently appeared on the Council's website.

Responding to some of the comments raised, Mr Patchell apologised for some of the administrative problems experienced with this application. He also clarified that neighbour consultation was based on an Ordnance Survey GIS database that was unable to present up to date information regarding recent new developments. Referring to the error regarding the issuing of the decision notice, he confirmed that contact was made with the applicant quickly who had agreed to disregard the decision notice, accepting that it had been issued in error.

At the invitation of the Chairman, Mrs St Ledger-Davey addressed the Sub-Committee and reiterated some of Mrs Barrett's concerns. In summary, she was concerned that additional representation to the proposals may have been made had the decision notice not appeared on the Council's website. Mrs St Ledger-Davey also reported that recent demolitions in Chilbolton Avenue (where she lived) now allowed a clear view of the site and that this might have altered the strength of signal in the immediate vicinity.

At the request of the Chairman, Mr Lynds clarified that there was a legal requirement that notice be provided consistent with statute, generally by posting of site notices. The Council had complied with such statutory requirements. The consultation

process was recommended by the Secretary of State and as such constituted guidance for planning authorities in the conduct of such applications. The Council had discretion in following such guidance. Mr Lynds reminded Members that the existing permission for a 20 metre mast could still be implemented, and so this, as the 'fall-back permission', was a material planning consideration, which the Members were bound to consider.

At the conclusion of the meeting, the majority of Members agreed to support the officer's recommendation to approve the application, as there would be no additional or detrimental material impact to the amenities of the area. Furthermore, a previously approved application for a replacement 20 metre high mast would have harmed the well-being of adjacent trees. The Chairman advised that planning permission was subject to an additional condition to those listed in the Report, in that the configuration of the antennae should be exactly the same as those on the existing 15 metre structure. The Chairman also advised that he would personally request clarification of the Council's adopted consultation procedures from the Director of Development in light of the concerns raised at the meeting.

RESOLVED:

That permission be granted subject to conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: to comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The mast hereby permitted shall be wood clad, and the antennae painted a non reflective colour.

Reason: in the interests of visual amenity.

3. The mast hereby permitted should have the same configuration of the antennae as that on the existing 15 metre structure on site

Reason: in the interests of visual amenity

4. The development hereby approved shall not commence until a methodology statement detailing how the mast will be lowered onto the site without adversely affecting the adjacent trees and detailing any work to those trees has been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved statement.

Reason: in the interests of protecting the long term health of the trees and protecting the amenities of the area.

Informatives

01. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning

and Compulsory Purchase Act 2004, planning permission should therefore be granted.

02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: UB3 and TC1

Winchester District Local Plan Review Proposals: DP.3 and DP.14

The meeting commenced at 9.30am and concluded at 10.40am

Chairman