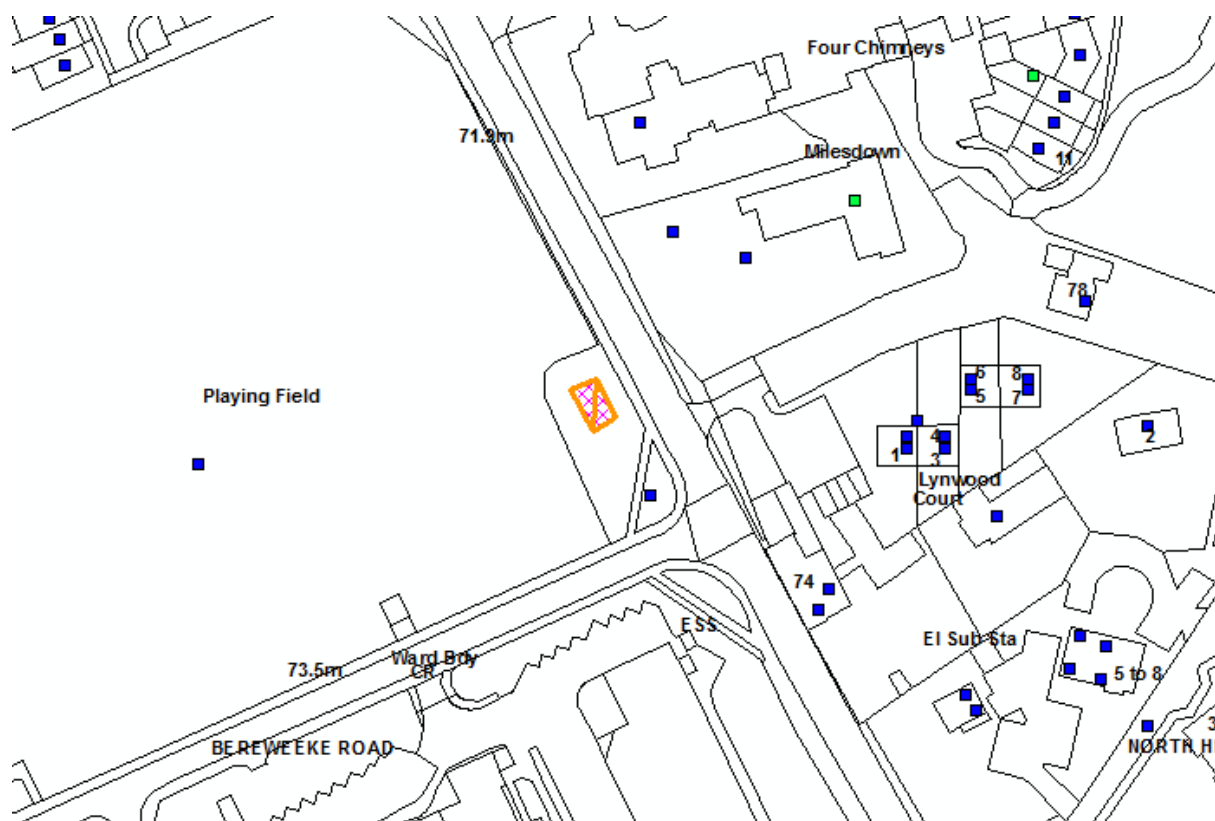


WINCHESTER CITY COUNCIL
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Case No: 19/01849/FUL
Proposal Description: The retention of existing temporary 30m lattice tower supporting 3 no antennas, 1 no equipment cabinet, 1 no generator and ancillary development thereto for a further 12 months
Address: Proposed Mast At Junction With Bereweke Road Andover Road Winchester Hampshire
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Cornerstone & Vodafone Ltd
Case Officer: Nicola Clayton
Date Valid: 23 August 2019
Recommendation: Application Permitted

Pre Application Advice:
No



General Comments

The application is reported to Committee due to the number of comments submitted contrary to the Officer's recommendation.

Site Description and proposal

This is an application for the retention of the existing temporary mast installation on Andover Road close to the junction with Berewecke Road for a further 12 months. The mast provides basic coverage as a stop gap whilst the permanent solution is found.

Relevant Planning History

19/00115/FUL The retention of existing temporary 30m lattice tower supporting 3 no antennas, 1 no equipment cabinet, 1 no generator and ancillary development thereto for a further 6 months Permission 04.03.2019.

17/01930/TCP Proposed installation of a 17.5m pole, supporting 3 no antenna, associated ground based equipment cabinets and ancillary development thereto Refused on 13.09.2017 on the grounds of:

'The proposed development is contrary to Policies CP13 of the Winchester District Local Plan Part 1 2013 and DM15, DM16 and DM22 of the Winchester District Local Plan Part 2 2017 in that:

- the proposed mast, by virtue of its height, scale and siting would appear as a visually intrusive and incongruous feature which would fail to respond positively to the character, appearance and variety of the local environment.
- the proposed mast and associated cabinets have not been sited in a way that would minimise the impact of the development as set out within Policy DM22, and as such, would have a adverse impact upon the amenities of the locality.'

This application was allowed at appeal ref: APP/L1765/W/18/3197522.

Consultations

WCC Environmental Protection - No comments to make on this proposal.

HCC Highways Engineer - No objection to this proposal.

Representations

6 emails of objection have been received on material planning grounds relating to

- a) size,
- b) position,
- c) visual intrusion,
- d) noise
- e) health effects,
- f) the mast was erected before permission was given.

Cllr Anne Weir – Objects. Time for mast to be removed and re-sited or a full application for permanent installation with associated landscaping and amenities is

submitted

City of Winchester Trust - Objects to this further extension on the grounds that the mast and associated barriers etc compromise local amenity and are an eyesore. In the Trust's opinion any further application should only be considered on the basis that the site would be suitably landscaped and temporary barriers replaced by planting/screening. Consideration should also be given to using a fake tree phone mast.

Relevant policy

Policy DM22 - Telecommunications, Services and Utilities

Policy DM20 – Development and Noise

Policy DM17 – Site Development Principles

The National Planning Policy Framework – Ch. 10

Planning Considerations

Principle of development

The principle of allowing telecommunications development is contained in the National Planning Policy Framework and policy DM22 of Part 2 of the Local Plan. The development of communications and other infrastructure is desirable where it has benefits for economic growth or provides essential services for a community. The local planning authority will seek to facilitate such development, whilst having regard to its effect on the environment.

The application is assessed in respect of siting and appearance, and considers the proposed coverage and alternative options, design and impact on character of area and impact on highways, and the context of relevant policy outlined above.

Justification for need of the temporary mast for a further 12 months

The applicant, Vodafone Limited, has entered into an agreement with Telefonica UK Limited pursuant to which the two companies plan to jointly operate and manage a single network grid across the UK. This agreement allows both organisations to:

- pool their basic network infrastructure while running two networks
- maximise opportunities to consolidate the number of base stations
- significantly reduce the environmental impact of development

The applicant confirms that this is an emergency 30m high temporary lattice tower. It is a moveable structure capable of providing service provision to the northern part of Winchester. Without this temporary installation there would be no coverage for Vodafone or Telefonica customers. The temporary installation is not a permanent solution and not designed to be. It provides basic coverage as a stop gap whilst the permanent solution is found.

A permanent site had been found on the adopted highway of Andover Road to provide the coverage required. The council first refused this scheme but the Inspector overturned this decision and allowed the appeal proposals to go ahead. In

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the interim, between the application first being submitted and the site being allowed on appeal, high voltage cables had been laid directly underneath where the column is proposed to be located as well as next to it. It has been established that there is no location in the immediate area where the column could be relocated to which would not be affected by the presence of these high voltage cables. Therefore, this site can no longer be built out.

An entirely new site is now required to provide permanent replacement coverage in this area. The applicant clarifies that without the extension of time for the temporary mast to be retained in its current position then both Telefonica and Vodafone customers will lose all service provision from their handheld devices in this area.

Based upon the above set of circumstances it is considered acceptable that a further extension of time of the temporary mast for 12 months is required in order to find a suitable and available alternative permanent site, submit and obtain planning permission, programme the site in to build and for the site to be fully operational. The proposal thus accords with policy DM22 of the LPP2

Visual amenity and impact on the appearance of the area

It is accepted that the mast is tall and as a result has a visual impact on the surrounding area. The site is located in a busy transport route into and out of the City and adjacent to Peter Symonds College and therefore is a regular feature in the landscape setting. Taller trees and other vegetation are situated adjacent to the site which provide both screening to and a backdrop against which the mast is viewed, reducing the visual impact of the structure.

The applicant accepts that it was never the intention for the mast to be in situ for as long as it has been but due for unforeseen circumstances it is needed for a further 12 months. Whilst it is a substantial piece of equipment, it remains a temporary solution while an alternative site is found. Therefore, it is considered that the temporary siting of the mast for a further 12 months to fulfil an essential need is justified and the degree of visual harm caused to the visual amenity of the area would be limited.

The Trust have suggested that a disguised 'tree' mast may be more acceptable. However these tree type structures, whilst effective in distant views where they are set amongst other evergreen trees, are unconvincing and appear incongruous up close. They are also very expensive. Given that the mast is already there and it's a temporary application it is not considered appropriate. Furthermore, due to the short term nature of this planning application it is unreasonable to impose a condition in relation to planting/screening.

Once the permanent site is fully operational the temporary mast will be removed and the ground restored to its former condition. A safeguarding condition is proposed to achieve this (condition 01) .

Residential amenity

The temporary siting of the mast will not be unduly intrusive in views from the

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nearest residential properties or otherwise have an adverse impact due to loss of light. In terms of noise generation the site is located along a busy transport route and whilst a generator is in operation the nature of the site location does not result in an adverse noise impact on the surrounding area and thus accords with policies DM17 and DM20 of the LPP2.

The application is supported by an ICNIRP compliance certificate and therefore meets the international guidelines in relation to health safeguards and in accordance with policy DM22 of the LPP2. No further consideration on health grounds is necessary in terms of the planning assessment.

Highways

The temporary siting of the mast does not adversely impact on highway safety. HCC Highways have no objection to the proposal.

Recommendation

Application Permitted subject to the following condition:

Conditions

01 The mast and all associated equipment and enclosures shall be dismantled and permanently removed from the site and the site shall be restored to its former condition by the 14 November 2020.

01 Reason: In the interest of the amenities of the surrounding area.

Informatives

1. In accordance with paragraph 38 of the NPPF (July 2018) , Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

2. In this instance a site meeting was carried out. The Local Planning Authority has taken account of the following development plan policies and proposals:
The Local Plan Part 2 (2017): DM17 DM20 DM22

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

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38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>