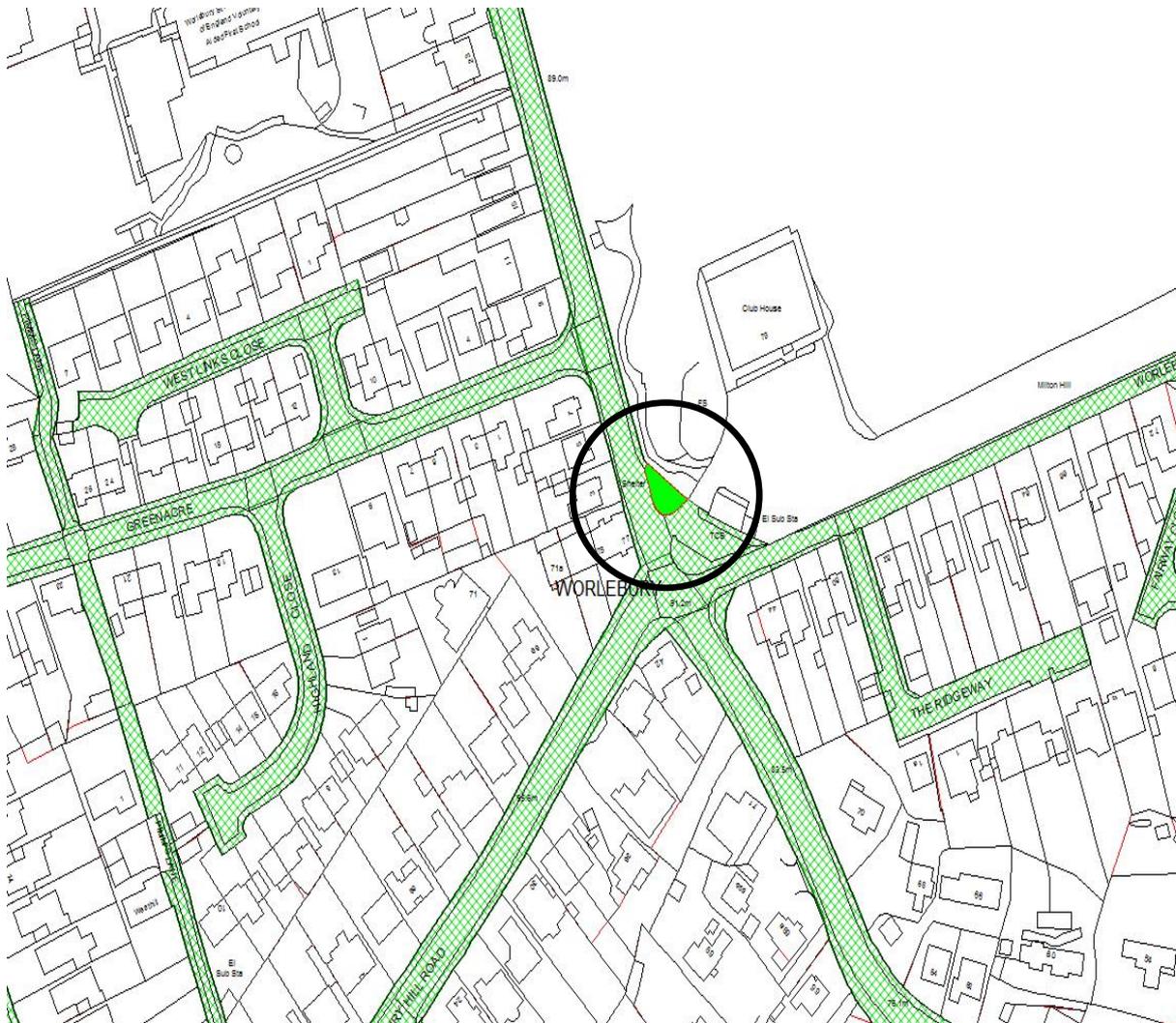


SECTION 2

APPLICATION NO: 17/P/0517/PDT	CASE OFFICER: Julie Walbridge
APPLICANT: Telefonica UK Ltd	Extended expiry date:
PARISH/WARD: Weston-super-Mare/Weston-super-Mare Kewstoke	TARGET DATE: 25 April 2017
WARD COUNCILLOR(S): Cllr Mrs L J Pilgrim Cllr Mrs R Willis	
SITE ADDRESS: Highways land adjacent to Worlebury Golf Club, Monks Hill, Weston-super-Mare, BS22 9SX	

LOCATION PLAN: The following plan shows the general location of the site only and is for illustrative purposes. The circle identifies the location of the site and is not a representation of the site boundaries. The site boundaries and other details submitted with the application can be viewed on the council's website at www.n-somerset.gov.uk. This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office © Crown copyright and database rights 2016 Ordnance Survey 100023397. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form



SECTION 2

11. **Section 2:17/P/0517/PDT Prior notification of proposed installation of telecommunications apparatus of 1no. 12.5m shrouded monopole, 2no. 300mm microwave dishes and 2no. equipment cabinets on Highway land adjacent to Worlebury Golf Club, Monks Hill, Weston-super-Mare, BS22 9SX**

REFERRED BY COUNCILLOR PILGRIM

Procedure

This application is not a planning application but is for Prior Approval. The erection of the mast and equipment is “permitted development” provided the application meets the criteria/conditions under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended in 2016) for a determination as to whether prior approval is required for the siting and appearance of the development. The Order and procedure under Part 16 can be found on the Planning Portal website at www.planningportal.gov.uk.

The procedure effectively creates a 2 part process. The first part requires the LPA to decide whether prior approval is required in respect of the siting and appearance of the development.

The second part of the process is for the LPA to determine whether it wishes to approve the details of the siting and appearance or if it wishes to refuse the details of the siting and appearance.

It must be emphasised that the LPA must issue the decision within 56 days of receipt of the application unless the applicant has agreed to extend the period of time. If it does not, the mast and equipment will have ‘deemed’ approval and may proceed regardless at any time within the following five year period provided all other consents have been obtained. The development is required to be carried out in complete accordance with the submitted details.

Summary of recommendation

It is recommended that prior approval is required and Approved. The full recommendation is set out at the end of this report.

The Site

The application site is located within a residential area of Worlebury, Weston-super-Mare.

The proposed mast would be located on highway land adjacent to the stone boundary wall and to the north west side of the main entrance to Worlebury Golf Club. To the north east of the site is the single storey golf club house and to the south is the golf professional’s shop.

SECTION 2

The mast will be located on the public footpath to the rear of a bus stop and shelter. To the north east within the grounds of the Golf Club is an existing mature tree. The pavement is also shared with other street furniture including a post box and seat.

The Application

Prior approval is sought for:

- Erection of a 12.5 metre shrouded monopole mast and 2no. 300mm microwave dishes
- 2no and 2no. cabinets. The largest cabinet measures 0.7metres long, 0.7metres deep and 2 metres high

Relevant Planning History

None

Policy Framework

The site is affected by the following constraints:

- Within the Settlement boundary for Weston super Mare
- Adjoining a Sites of Nature Conservation Interest

Planning Legislation

- Part 16 of Schedule 2 to the Town and Country (General Permitted Development) (England) Order 2015 as amended.

The Development Plan

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

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS6	North Somerset's Green Belt
CS12	Achieving high quality design and place making

The 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
DM69	Location of sporting, cultural and community facilities

SECTION 2

Other material policy guidance

National Planning Policy Framework (NPPF) (March 2012)

The following is particularly relevant to this proposal:

Section No	Section heading
------------	-----------------

5	Supporting high quality communications infrastructure (Paras 42-46)
---	---------------------------------------------------------------------

Supporting documents

- Code of Practice relating to Electronic Communications Code and the Electronic Communications Code (Conditions and Restrictions) Regulations 2013
- Part 16 of Schedule 2 to the Town and Country (General Permitted Development) (England) Order 2015 as amended

Consultations

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

Third Parties: 7 letters of objection have been received. The principal planning points made are as follows:

- Health risks
- Impact upon outlook
- Impact upon highway visibility
- Visually intrusive
- Harmful to the local beauty of Worlebury.

Weston Town Council: No comments received at the time of writing the report.

Principal Planning Issues

The principal planning issues in this case are (1) planning legislation, (2) siting and appearance, (3) impact upon the occupants of the neighbouring dwellings and (4) health.

Issue 1: Planning Legislation

This proposal is for prior approval for the erection of a telecommunication mast and is assessed under part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This order permits the installation, alteration or replacement of any electronic communications apparatus provided that it complies with conditions within that order. In this instance the mast is considered permitted development subject to the condition that before beginning the development the developer 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. It should be demonstrated that there

SECTION 2

is a need for new and upgraded coverage within the area and that other sites have been considered and were possible that phone operators share mast and sites.

Issue 2: Siting and appearance

It is considered that the proposed siting of the mast will provide new and upgraded coverage within the Worlebury and Milton and part of the greater Weston area and that the information supplied by the applicant demonstrates that other sites have been considered. The mast will be shared with another telecommunication operator. In this respect it is considered that siting of the mast is acceptable in terms of upgraded and new coverage. The applicant has demonstrated that other sites have been considered including adjacent to Worlebury Woods, which was not suitable due to the underground services in that area. The site adjacent to the water tower within Worlebury Woods has also been considered however the existing telecommunication mast has already been upgraded and there are still gaps within the coverage area. It is considered therefore that the applicant has demonstrated that the other are sites have been assessed and are unsuitable.

The proposed siting of the mast is located on the highway in accordance with the good practice guide for telecommunication operators. The mast is 12.5 metres high and would be located on a broad pavement with other street furniture including a bench and bus stop. The supporting apparatus consists of two cabinets and one metre pillar and would not result in obstruction on the pavement.

The mast would be visible when viewed from short distances from the south and the brow of Milton Hill and from short and medium distances when viewed from the north (Monks Hill) and the north east (Worlebury Hill Road), however, it will be behind the bus shelter. The mast will be visible from the south west side of Worlebury Hill Road as part of the view towards the golf club entrance although it will be close to a tree and marginally (2.5m) higher than the golf shop which lies to the south east of the site. Although the view from the south west of Worlebury Hill Road and no. 44 Worlebury Hill Road is characterised by its openness it is considered that the mast would not have an adverse on views from this area. The proposed equipment cabinets which are sited next to the stone wall and at the rear of the pavement would not adversely affect the character of the area.

Whilst the height of the mast at 12.5m is considered acceptable a higher mast would have an unacceptable visual impact. Any replacement mast that would exceed the greater height of the existing mast or a height of 25 metres above ground level on unprotected land will require prior approval from the Local Planning Authority.

Overall, it is considered that the proposed mast and cabinets would not adversely affect the appearance of the area and is therefore in accordance with Policy CS12 of the North Somerset Core Strategy and Policy DM32 and DM69 of the North Somerset Sites and Policies Plan (part 1).

SECTION 2

Issue 3: Impact upon the occupants of the neighbouring dwellings

The proposed site lies adjacent to an established residential area, to the west side Monks Hill and south of Worlebury Hill Road. The side elevation of no. 77 Worlebury Hill Road would be closest to the mast (approximately 25m) and the mast would be visible and 25m in front of No 3 Monks Hill. However the mast would not be overbearing or have a harmful impact in terms of the outlook from No 3 or from the two first floor side window of No 77.

It would be visible from the first pair of houses (nos. 44 and 46) in Worlebury Hill Road to the south east which face the site but these properties would be approximately 40m metres from the proposed mast. As such it is considered that due to its height, size and distance the visual impact would not be unacceptable and would not be sufficient to warrant the refusal of this application on grounds of siting and appearance. It is considered that in this respect the proposal is acceptable and in accordance with Policies DM32 and DM69 of the North Somerset Sites and Policies Plan (part 1).

Issue 4: Health

Section 5 of the NPPF paragraph 46 states that local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure. The applicant has signed the declaration of Conformity with ICNIRP Public exposure Guidelines which certifies that the mobile base station, when operational will meet the precautionary ICNIRP guidelines. It is considered that in this respect the proposal is acceptable in that it is in accordance with Section 5 of the National Planning Policy Framework and is assessed under other legislation.

Issue 5: Setting of Listed Building

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

Natural Environment and Rural Communities (NERC) Act 2006

The proposed development will not have a material detrimental impact upon biodiversity.

The Crime and Disorder Act 1998

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

Conclusion

The siting of the telecommunication mast and associated apparatus is considered acceptable in that the mast will have a minimal impact upon the siting and appearance of the surrounding area, It has been demonstrated that the site is a suitable location for improved and new coverage within the Weston super Mare area

SECTION 2

and will be shared with other telecommunication operators. It is concluded that this proposal is in compliance with Part 16 of Schedule 2 to the Town and Country (General Permitted Development) (England) Order 2015 (GPDO), section 5 of the NPPF and Policy CS12 of the North Somerset Core Strategy and Policies DM32 and DM69 of the North Somerset Sites and Policies (part 1).

RECOMMENDATION: Prior approval is required and is hereby **APPROVED**