

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH JUNE 2017**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **FULL APPLICATION – INSTALLATION OF 17.5 M
MONOPOLE SUPPORTING 2 NO. ANTENNAS
WITHIN A SHROUD, 2 NO. EQUIPMENT CABINETS
AND ANCILLARY DEVELOPMENT AT RUTHIN
ROAD, GWERNYMYNYDD**

**APPLICATION
NUMBER:** **056757**

APPLICANT: **CTIL & VODAFONE LIMITED**

SITE: **RUTHIN ROAD,
GWERNYMYNYDD**

**APPLICATION
VALID DATE:** **20TH MARCH 2017**

LOCAL MEMBERS: **COUNCILLOR K. HUGHES**

**TOWN/COMMUNITY
COUNCIL:** **GWERNYMYNYDD COMMUNITY COUNCIL**

**REASON FOR
COMMITTEE:** **CONCERNS REGARDING VISUAL IMPACT,
INTERFERENCE WITH SIGHTLINES FOR TRAFFIC
ON A494. PROXIMITY TO DWELLINGS THAN
RECOMMENDED IN ICNIRP GUIDELINES**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This is a full application for the installation of one 17.5m high monopole, 2 antennas within a shroud and 2 equipment cabinets and ancillary development.
- 1.02 The proposal is to improve the level of coverage in the vicinity. The main issues to consider are the impact on visual amenity and the impact on the highway.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 Conditions

1. Time limit.
2. In accordance with approved plans.
3. Details of finish and colour of monopole and cabinets to be agreed prior to installation.
4. Land to be restored after site is no longer in use for telecommunications.

3.00 CONSULTATIONS

3.01 Local Member

Ex-Councillor N. Matthews

Prior to 5th May 2017 Request for committee determination based on visual impact, impact upon highway networks and potential impact upon residential amenity and potential health concerns.

Councillor K. Hughes

The newly elected member for the ward, consulted on application. Confirmed that having spoken on behalf of the Community Council at a previous planning committee I am aware that some members felt that the ICNIRP guidelines were out of date.

The issues do not just refer to the ICNIRP guidelines, although the proximity of some dwellings are very close to the site of the mast contrary to those guidelines.

I also want the Planning Committee to consider the visual impact of the proposed mast and the interference with the sight line for traffic on the A494 trunk road should the mast go ahead.

Gwernymynydd Community Council

Objects most strongly to application on the following grounds:-

The mast at 17.5m is too high, would be clearly visible from all sides and would be obtrusive in a rural landscape. The location is in Area of Outstanding Natural Beauty and would therefore be out of place.

There are major concerns expressed with regard to radiation emissions, no valid explanation of the amount emitted and there are uncertainties given worldwide as the said radiation levels are still being investigated. The Council is aware of similar installations in France have been vetoed over concerns of high radiation levels. The World Health Organisation (WHO) recommends caution on the siting of masts, particularly when such locations are close to houses.

It is accepted that detailed research is poor and inadequate due to minimal statistics, but papers submitted by Powerwatch, voice concerns about clusters of ill health of persons living in close proximity to telecommunications masts.

The proposed location of the mast is close to residential properties both to the rear and opposite the proposed site, this factor needs to be earnestly considered and the application rejected. The height of the mast is in line with neighbouring properties and therefore the radiation splay would bathe those houses near to the mast.

The proposed location of the mast lies within the former site of the Welsh Chapel, the Chapel was demolished some time ago in order to provide better vision lines for traffic along the busy A494 Trunk Road, consultation needs to undertake with the Welsh Governments Trunk Road Agency on this matter.

The Council and the residents of Gwernymynydd are aware that there are underlying mineshafts in and around the proposed location and this factor needs to be considered as any subsidence or collapse would lead to a serious situation on the busy A494. Also this Council is aware of that to date there has been no response to the proposed mast site by the Trunk Road Agency, this needs to be taken in to account.

Employees working on similar masts are governed by strict health and safety regulations and codes of practice, they are not allowed to work close to the installation unless the telecommunication workings are switched off. This safeguard is adhered to because of high radiation levels, these levels would exist to the nearby properties.

The Community Council appreciates that improvements in technology needs such types of equipment, however this installation is too close to housing and is in the wrong place, there are more appropriate locations that may be considered well distanced away from communities that may be affected.

The Community Council and the residents in the village of Gwernymynydd wish refusal of the application.

Head of Assets and Transportation

As the site falls on the A494 Trunk Road, the proposal is to be assessed by Welsh Government Department of Economy, Science and Transportation.

Welsh Government Department of Economy, Science and Transportation

The Welsh Government as highway authority for the A494 trunk road does not issue a direction in respect of this application.

Head of Public Protection

Confirm that they have no adverse comments to make regarding this proposal.

Coal Authority

The site does not fall within a defined Development of High Risk Area and is located within a defined Development Low Risk Area and there is no need for the Coal Authority to be consulted. It will be necessary to include The Coal Authority's Standing Advice within any decision notice as an informative in the interests of public health and safety.

Defence Infrastructure (MOD)

Ministry of Defence has no safeguarding objections to this proposal.

Airbus

The proposed development does not conflict with safeguarding criteria accordingly, we have no aerodrome safeguarding objection to the proposal.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

4 Objections received on the following grounds:

- - The proportions/scale of the mast, at least double the height of existing lampposts/telegraph poles.
 - The mast is too near to residential areas, and due to the elevation of the hill to the rear, the site would level with houses behind, in front of windows and in line of sight of dwellings
 - The mast is located in the middle of the village, opposite a new housing estate.
 - It does not fit in with the street scene
 - The development will devalue the existing and new dwellings
 - Not enough know about the health risks, to make this judgement and do not want the mast so close to property and where children are playing
 - The mast is out of keeping/character with the village which is an Area of Outstanding Natural Beauty.
 - The trees to the rear of the site are topped from time to time and would leave the mast totally exposed, which would be an eyesore to our homes and the village.
 - Adverse effects on radio waves
 - The monopole and cabinets are not suitable for a roadside site, due to potential impact by vehicles, as there already telegraph poles and signs on the verge. Land at Highfield has resulted in the existing bus shelter being replaced by perspex see through type, to enhance visibility, to place cabinets on the grass verge will negate.
 - Applicant should consider sites at a higher altitude to give better coverage and peace of mind to residents, and should not go for the easiest and cheapest options.

5.00 SITE HISTORY

5.01 None.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
AC22 - Locations of Installations
GEN1 - General Requirements for Development

Planning Policy Wales (Edition 9)

Technical Advice Note 19 Telecommunications (2012)

7.00 PLANNING APPRAISAL

7.01 Introduction

This application is for the erection of one 17.5m high monopole, supporting 2 antenna, (housed within a shroud), 2 equipment cabinets and associated ancillary development on an existing grass verge area adjacent to the A494 a trunk road. The site is not within an Area of Outstanding Natural Beauty.

7.02 Planning Policy

Flintshire County Council Unitary Development Plan seeks to control the location of telecommunications installations via Planning Policy AC22. This policy requires that any new development is subject to a feasibility study to assess if suitable alternative sites are available.

7.03 The application has been supported by documentation, evidence of the site selection process. A desk top search identifies other existing telecommunications installations. With supplementary information identifying site selection and roll out consultation process responses with the Local Planning Authority, (during which no issues were raised). These consultations were inclusive of the local ward Member, Gwernymydd Community Council and the local Member of Parliament.

7.04 The applicant has submitted an assessment of alternative sites, which were considered and why they were unsuitable. The assessment shows that alternative sites would not provide an improved phone signal in the area where it is required, hence the submission of the monopole application in this particular location. The need for the improved network coverage, to cover the existing indoor coverage gap for 2G coverage, has been demonstrated and justifies the proposal.

7.05 Technical Advice Note No 19 Telecommunications provides advice on the material planning considerations to be taken in to account as part of determining a planning application. Particular reference is made to the potential impact on public health. TAN 19 states that where

transmissions meet the Non-Ionizing Radiation Protection ICNIRP guidelines it is unnecessary for a Local Planning Authority to consider the future health aspects and concerns when considering such a planning application. The application documents include a Declaration of Conformity with ICNIRP Public Exposure Guidelines.

7.06 Visual Impact /Residential Properties

Due to the height of the monopole at 17.5m high it will be visible in its location on the existing open grass verge adjacent to the A494 Trunk Road. However this is mitigated to some extent due to the existing sites topography, with the rear of the site rising steeply and being set against a back drop of mature trees. Concerns have been raised with regard to the visual impact the mast will have on residential properties to the rear of the site. Residents have stated that due to the topography of the site the mast will be level and in the line of sight to residents. However the scale of the development due to the limited width of the pole and the shroud enclosing the antennas is considered to be of a diminutive scale and the nearest property to the rear being located 25m away from the proposed mast it is not considered to be significantly detrimental to visual amenity to residents or the wider area. Objections have been received on grounds of devaluation of property, this is not a material planning consideration which can be given weight in the planning balance.

7.08 In addition there are other existing vertical structures within the immediate street scene and wider site area consisting of telegraph poles at 9m high and lighting columns which are higher, as such the proposal will not introduce an alien form of vertical development.

7.09 Views of the mast are obscured to the properties located to the rear of the site, which are set at a higher level by the mature trees to the rear of the site. The properties opposite the site, currently under construction, but not yet occupied, are located across two lanes forming the A494 the Trunk Road and are separated from the site by 25m.

7.09 Design and Scale of the Proposal

The monopole while being 17.5m high is a simple design, with the column being 324mm in width and the shroud being slightly wider being 480mm in width. The equipment cabinets are 1.9m high and 0.77m in width, due to the scale of these features, they are considered to be of a similar scale to BT broad band cabinets, and appear as street furniture. As such the development is not considered to have a significant visual impact on the existing street scene. The site is not located within an Area of Outstanding Natural Beauty. The finish and colour of both the monopole and cabinets will be agreed by condition, prior to the erection of the monopole, which will further reduce any potential visual impact of the proposal.

7.10 Highway safety/Welsh Government Department for Economy and

Infrastructure

The applicants have submitted the requisite Technical Note in relation to the A494 Trunk Road. The Welsh Government have confirmed that the development will not impact upon traffic on the A494. Despite concerns raised with regard to sightlines on the A494.

7.11 Public Health

There have been numerous concerns raised with regard to potential health concerns. However, there is a requirement under TAN 19 advice that applications for the type of telecommunications development proposed are to be accompanied by a declaration that the equipment will operate in full compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines.

7.12 TAN 19 states that where transmissions from a proposal meet the ICNRP guidelines, it is unnecessary for a Local Planning Authority to consider further health aspects and perceived concerns, when considering such applications.

7.13 The application documents include a Declaration of Conformity with ICNIRP Public Exposure Guidelines. This takes account of the cumulative effect of emission from the proposed installations and all radio base stations present at, or near, the proposed locations.

7.14 In light of the above and given that there is no demonstrable harm on public health arising from the proposed development, concerns of impact on public health, have limited weight in the consideration of this application in relation to the application and the concerns raised.

8.00 CONCLUSION

8.01 It is considered that the proposed telecommunications monopole and associated development is in accordance with the relevant planning policies of the adopted Flintshire Unitary Development Plan. The siting of the equipment meets both local and national planning policy and the advice offered in TAN 19 and Planning Policy Wales and would not have an adverse impact upon residential amenity, visual amenity, the highway network or public health.

8.02 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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