

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **4TH OCTOBER 2017**

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

SUBJECT: **FULL APPLICATION – PROPOSED 17.5 M JUPITER SINGLE STACK COLUMN INSTALLED ON NEW D6 ROOT FOUNDATION AND ASSOCIATED WORKS AT MUIRFIELD ROAD, BUCKLEY.**

APPLICATION NUMBER: **057318**

APPLICANT: **CTIL & VODAFONE LTD**

SITE: **MUIRFIELD ROAD, BUCKLEY.**

APPLICATION VALID DATE: **18TH JULY 2017**

LOCAL MEMBERS: **CLLR C ELLIS**

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST CONCERNS REGARDING RESIDENTIAL AMENITY AND SAFETY**

SITE VISIT: **AWAITING CONFIRMATION**

1.00 SUMMARY

1.01 This is a full application for the erection of a 17.5m high monopole and associated works at Murfield Road, Buckley. The proposal is to improve the level of coverage in the vicinity.

The main issues to consider are the impact on residential amenity and the impact on the highway network.

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

- 2.01 1. Time Limit.
2. In accordance with plans.
3. Land to be restored after site is no longer in use for telecommunications

3.00 CONSULTATIONS

3.01 Local Member

Carol Ellis: Request planning committee determination due to the proximity to residential homes and concerns raised regarding safety.

Buckley Town Council

Raise the following observations/concerns:-

- 1 health risk to residents.
- 2 Proximity to residential homes.
- 3 Ascetical look so close to the entrance to the estate.
- 4 Any interference to current installations/providers.

Highways Officer

No objection

Head of Public Protection

No Objection

Airbus

No Objection

4.00 PUBLICITY

4.01 Site Notice and Neighbour Notification

No response at the time of writing

5.00 SITE HISTORY

- 5.01 No relevant history

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

AC22 - Location of Installations

GEN 1 – General Requirements for Developments

GEN 3 – Development in the Open Countryside

Planning Policy Wales (Edition 9)

Technical Advice Note 19: Telecommunications (2012)

7.00 PLANNING APPRAISAL

7.01 This application is for the erection of a 17.5m high monopole and associated works. Telecommunication developments benefit from a comprehensive level of permitted development, with most development falling under the prior approval process outlined within the Town and County Planning (General Permitted Development) Order 1995. In this case, due to the height of the proposed development being over 15m, full planning permission is required.

7.02 Planning Policy

Flintshire County Council's Unitary Development Plan seeks to control the location of telecommunication installation via Planning Policy AC22. This Policy requires that any new telecommunication facilities in a sensitive area, such as the A.O.N.B or adjacent to a listed building, are subject to a feasibility study which would assess if suitable alternatives are available.

7.03 As the proposed mast is not within a sensitive area it is not necessary for the applicants to have considered alternative locations before selecting this site. However, the applicant has submitted a short assessment of available alternatives in the locality which show that the nearest alternative could not be brought forward for a number of reasons.

7.04 Technical Advice Note: 19 Telecommunications provides advice on the material planning considerations to be taken into account as part of determining a planning application. Particular reference is made to the potential impact on public health which is discussed in further detail below.

7.05 Visual Impact

Planning permission would not be required for a similar type of development with a maximum height of 15m. Due to its increased height the proposed mast will be more prominent than one which could be erected under the prior approval process. However, the additional impact is such that the development will not have a significantly greater or detrimental impact upon the street scene and surrounding townscape. Views of the mast from the wider locality are largely obscured by buildings and by mature vegetation.

7.06 The plans also show 3no. equipment cabinets, however these do not require planning permission and fall under the prior approval process.

7.07 Public Health

Concerns have been raised by the local member in relation to potential harm to public health. However, there is statutory requirement that applications for the type of telecommunications development proposed need 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. TAN:19 states that where transmissions from a proposed base station meet the ICNRP guidelines it is unnecessary for a Local Planning Authority to consider health concerns when determining a planning application. The application documents include a Declaration of Conformity with ICNIRP Public Exposure Guidelines.

7.08 In light of the above, and given that there is no demonstrable harm on public health arising from the above development, I have given concerns about the impact on public health limited weight.

7.09 Coal Mining

The site does not fall within a Coal Authority informative area therefore an advisory note will be added providing advice on the working within areas with a history of mining activity.

8.00 CONCLUSION

It is considered that the proposed telecommunications equipment is in accordance with the relevant planning policies. The siting of equipment meets both Local and National Planning Policy, and the additional height would not have an adverse impact on the residential amenity of adjoining dwellings

8.01 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

Contact Officer: Mr D McVey
Telephone: 01352 703266
Email: daniel.mcvey@flintshire.gov.uk

ICNIRP Compliance

The addition of new technologies and mast sharing affects ICNIRP compliance – a higher minimum mast height is required in some cases.

6. Site Selection Process – alternative sites considered and not chosen (Enclose map highlighting all alternatives that have been considered by the operator)

It is imperative to consider that the previous application was withdrawn on 15/5/2017 following objection from the LPA of the proposal due its close proximity to the listed church (Application Reference DJM/056581). THIS SITE HAS ALSO NOW BEEN DISCOUNTED.

| Site ³ | Site Name and address | NGR | Reason for not choosing ⁴ |
|-------------------|---|---------------------------|--|
| GF - Greenfield | Myrtle Farm Myrtle Farm Myrtle Road Buckley Flintshire CH7 2NS | Eastings Northings | SP (Site Provider) using farm for redevelopment so shown no interest at present |
| GF - Greenfield | Pen-Brigog Farm Pen-Brigog Farm Buckley Flintshire CH7 2NT | Eastings Northings | Council not engaging, after many attempts numerous phone calls and letters have been issued with no response |
| GF - Greenfield | Land Behind Leisure Centre Buckley Leisure Centre Mill Lane Buckley Leisure Centre Clwyd CH7 3HB | Eastings Northings | After many many calls and letters, SP shown no interest |
| GF - Greenfield | Land Lying South of Muirfield Road Land Lying South of Muirfield Road Buckley Flintshire CH7 2NW | Eastings Northings | After many many calls and letters, SP shown no interest |
| RT - Roof | Emmanuel Church Emmanuel Church Mold Road Buckley Flintshire | Eastings Northings | No feasible design solution |
| GF - Greenfield | Bistre Car Sales 59 Mold Road Buckley | Eastings | No space within grounds to locate a telecommunications |

³ ETS – Existing Telecomm site, ES – Existing Structure, RT – Roof Top, GF – Greenfield

⁴ SP – Site Provider, RD – Redevelopment Not Possible, T – Technical Difficulties, P – Planning, O – Other

| | | | |
|-----------------|--|---------------------------|--|
| | Flintshire CH7 2JA | Northings | equipment. This would take up half of the car park with it being so small |
| RT - Roof Top | Old Emmanuel Church 1 Bistre Close Buckley Flintshire CH7 2 HZ | Eastings Northings | Building currently being sold and could not gain new SP contact details to gain any interest |
| | Spar Petrol Station 72 Mold Road Buckley Flintshire CH7 2NJ | Eastings Northings | Streetworks site - After visiting the site, the pavement outside the petrol station would be too narrow to house telco equipment and would cause obstructions to public accessing and exiting the petrol station |
| GF - Greenfield | Emmanuel Church Emmanuel Church Mold Road Buckley Flintshire | Eastings Northings | Carpark which belongs to church is for visitors only and is fully capacitated so no room to house telco equipment. |
| GF - Greenfield | White Lion Pub Mold Road Buckley Flintshire CH7 2NH | Eastings Northings | Carpark which belongs to pub is for visitors only and is fully capacitated so no room to house telco equipment |