

Application Details	
Application Reference Number:	48/21/0055/CLA
Application Type:	Prior Approval
Description	Notification for prior approval for the installation of 1 No. 15 metre high monopole supporting 6 No. antennas, 4 No. equipment cabinets and development works ancillary thereto
Site Address:	Land at Yallands Hill, Monkton Heathfield
Parish:	West Monkton
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	No
AONB:	No
Case Officer:	Name and Contact number Darren Roberts 01823 218769 Should you wish to discuss the contents of this report item please use the contact details above by 5pm on the day before the meeting, or if no direct contact can be made please email: planning@somersetwestandtaunton.gov.uk.
Agent:	Sinclair Dalby Ltd
Applicant:	CK Hutchinson Networks (UK) Ltd
Reason for reporting application to Members:	Ward member, parish council and objections contrary to officer recommendation.

1. Recommendation

- 1.1 That prior approval be **GIVEN** subject to conditions

2. Executive Summary of key reasons for recommendation

- 2.1 This is an application for prior approval for siting and appearance of this 15 metre mast. It is considered that alternative sites have been considered and that this represents the most appropriate site to enable coverage within this residential area. The appearance of the mast is considered to be appropriate.

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3. Planning Obligations and conditions and informatives

3.1 Obligations

None

3.2 Conditions

- Ecology
- Highways

3.3 Informatives

- Highways licence

4. Proposed development, Site and Surroundings

4.1 Details of proposal

The prior notification is for the erection of a 15m high monopole with four equipment cabinets and ancillary equipment.

4.2 Site and surroundings

The site is located on Yallands Hill within the area of Monkton Heathfield, close to the junction with Mead Way. The area is grassed with a tarmac footpath to the North, beyond which is a hedge and residential properties within Mead Way.

5. Planning (and enforcement) history

5.1 None

6. Environmental Impact Assessment

6.1 Not applicable.

7. Habitats Regulations Assessment

7.1 Not applicable

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website.

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8.1 Date of Consultation: 24/08/21

8.2 Date of revised consultation (if applicable): 05/11/21

8.3 **Statutory Consultees** the following were consulted

Statutory consultee	Comments	Officer comments
Town / Parish Council	<p>The relative height of the mast in comparison with neighbouring house roofs and the adjacent traffic lights is too high. Bearing in mind the overbearing height of the proposed mast within a built environment, the Parish Council would recommend that an alternative location nearby is considered. Not far from the proposed site there are some three storey apartment blocks and the Parish Council would urge very strongly that the vicinity of the apartment blocks is considered for the installation of this mast. A screen shot to explain the proximity of the suggested site to the site in the proposal is included. The proposed site has no parking in the vicinity for service vehicles without causing significant obstruction to the very busy highway. The position suggested by the Parish Council would allow service vehicles to park beside the mast without causing obstruction to traffic.</p>	<p>Officer sought further details of alternative locations. The apartment blocks referred to are opposite the Secondary school which is not considered to be a good location for new masts.</p>
Highways Development Control	<p>This is a prior notification application for the installation of a 15m high monopole and associated equipment. The proposed equipment is to be sited on highway verge immediately to the northeast of the Meadway / Yallands Hill (A3259) junction. The A3259 is a busy main road that is subject to a 30mph speed limit. It is noted that there have been 2 recorded Personal Injury Accidents in the vicinity of this</p>	<p>Conditions would be added to the decision</p>

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	<p>junction within the last five years. No visibility splay drawings for this junction have been provided as part of this submission, however, it is apparent from the site plan that the position of the proposed equipment will be set well behind the splays for the junction and as such should not pose any increased risk to highway safety.</p> <p>For the above reasons the Highway Authority has no objection to the proposed development subject to conditions.</p>	
SCC Ecologist	<p>Any trimming of trees required? If so, condition requiring it to be done outside the bird nesting season or if it's been checked for nests. Standard condition.</p>	<p>The applicant has confirmed that there is unlikely to be any need for tree trimming but will accept a condition</p>
Ward Member- Councillor Pritchard	<p>I have examined the plans and I have visited the site. I wish to object as a ward councillor to plans submitted in this location. Environmental and Nature Conservation - I cannot see any ecology impact assessment has been yet carried out. This is near trees and in an area where we know bats are present and the height of the proposed object, and unknown impact of its technology on local wildlife and ecology is not well understood.</p> <p>There is also a question of traffic and highway access, on a busy highway by a crossing and near to a junction that is already considered difficult due to parking problems I cannot see how any maintenance can be safely carried out.</p> <p>Visual impact - this is a significant overbearing height and visual</p>	<p>The ecologist was further consulted because of this concern</p> <p>Highways have been consulted</p>

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	<p>change to the local area and will impact on residents. It is also an overpowering sight and incongruent with the local residential area.</p> <p>I also note a large number of local residents concerns that I do not feel have been addressed in any of the submissions documentation and would feel that there is real need for wider consultation with the community before such a new technology is imposed on the community.</p>	<p>These matters are addressed in the report</p>
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8.4 Internal Consultees

Environmental Health	No comments received	
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8.5 Local representation

8.5.1 This application was publicised by 8 letters of notification to immediate properties

8.5.2 The following issues were raised in representation. Those that are material to the determination of the applications are addressed in substance in the material planning considerations sections of this report.

Material Planning Considerations	
Objections	Officer Comment
Not in keeping with the residential area	Appearance is covered in para 11.3 of this report
Ugly and obtrusive	Appearance is covered in para 11.3 of this report
5G is a proven health risk	Health is covered in para 11.4 of this report
Not insurable	Not a planning consideration
Technology is not needed	Not a planning consideration

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Area is surrounded by homes and close to the village hall	Siting is covered in para 11.2 of this report
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8.5.3 There were no letters in support

9. Relevant planning policies and Guidance

9.1 The application requires an assessment of whether the proposal is permitted development. Accordingly, an assessment against the development Plan is not required.

9.2 The National Planning Policy Framework (para 115) is a relevant consideration.

9.3 Legislative context:

Whether the proposal complies with the relevant sections of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) Order 2015. Part A.3 states that, for masts no higher than 15 metres tall, 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.

9.4 Relevant policies within the development plan are:

Taunton Deane Core Strategy- Policy DM1 – General Requirements

Taunton Deane Adopted Site Allocations and Development

Management Plan – Policy I2 – Telecommunications

10. Local Finance Considerations

10.1 Community Infrastructure Levy

Not applicable

11. Material Planning Considerations

11.1 Schedule 2, Part 16, Class A of the GPDO refers to electronic communications code operators and sets out the permitted development allowed under this class.

11.2 Central Government planning guidance is generally supportive of telecommunications development, particularly in Section 10 ‘Supporting high quality communications’ of the NPPF.

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- 11.3 Policy DM1 'General Requirements' of the Taunton Deane Core Strategy 2011-2028 states that 'telecommunication installations must be sensitively designed and sited to minimise impact on the environment and amenity, and alternative sites or solutions with less impact must be demonstrated not to exist. Satisfactory evidence must be submitted to demonstrate that facilities cannot be shared, and removal of the installation will be required as soon as reasonably practical as long as it is no longer required.
- 11.4 Policy I2 'Telecommunications' of the Council's Site Allocations and Development Management Plan also states that applicants must demonstrate that they have sought to use sites or solutions to minimise environmental and visual impact and aim to keep the number of masts to a minimum. Where possible, existing masts, buildings and structures should be utilised. If a new site or structure is required, sound justification must be provided. Consideration should be given to the sympathetic design and sensitive siting of communications infrastructure, particularly in areas where pedestrian and disability access could be compromised.
- 11.5 The applicant has highlighted that the site is required to provide new infill coverage for the H3G network (known as 'Three'). This is required because the surrounding area has inadequate coverage levels and also has areas which are 'not spots' (i.e., areas that have no coverage at all).
- 11.6 The site is therefore proposed to deliver improved coverage to the area to ensure that it benefits from adequate coverage levels as well as new 5G coverage. 5G coverage is currently being rolled out by all Operators across the country and is supported and encouraged at government level. The Code of Best Practice on Mobile Phone Network Development for Wales (there is no equivalent guidance for England) states that "the initial deployment of 5G will seek a search area which, in many cases, will be much more defined around the existing network and localised to cover a specific coverage gap. In turn this may limit siting options and design options...Consequently there will be a requirement for greater numbers of antennas than before, as well as new radio equipment cabinets and taller structures."

12 Assessment of proposal

12.1 The main issues relevant in the assessment of this proposal are as follows:

12.2.1 The siting of the mast

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- 12.2.2 Appearance
- 12.2.3 Health Matters
- 12.2.4 Highway Matters
- 12.2.5 Ecology
- 12.2.6 Siting

The application supporting information provides details of alternative sites which have been considered. This has included sites put forward by the operator, at Monkton Elms, other parts of Yallands Hill, Procters Farm, West Monkton School, Heathfield Community College and Bridgwater Road commercial buildings. In addition, the case officer has requested the operator to consider a further site at the junction of Yallands Hill with the new A3259 Road. These sites have all been discounted, either because there are overhead powerlines in the location, the site is adjacent to a school building which is not good practice, or they are too far away from the cell nominal to provide the required levels of coverage. In respect of this last consideration, the operator was asked to submit further technical information. This shows that areas within the vicinity of the proposed mast location have no or poor coverage at present. The alternative locations which have been considered are 800 metres from this location and would be too far to reach the target area, due to the more intensive levels of coverage required by 5G.

- 12.2.7 Appearance

The proposed mast is a monopole and therefore less visually intrusive than a lattice mast. Whilst the proposed mast height would exceed the surrounding tree heights and therefore potentially be visible from the houses to the rear, the majority of the pole would be screened and seen in context with other street paraphernalia such as streetlights, telegraph poles and traffic signals. The additional cabinets would be sited at ground level and would have an acceptable impact on the appearance of the area. There would be a small loss of grassed area due to the introduction of the pole and cabinets, however this is not an amenity area and the introduction of furniture does not impact on the

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footpath connecting Mead Way to the Pelican crossing. No objections have been received from the highways authority.

The wider benefits of improved mobile communications in the area are also taken into account. Having regard to the above it is considered that the proposal would be acceptable in relation to siting and appearance.

12.2.8 Health

Concern has been raised about the potential effects on the proposal on health. However, the operator has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). In these circumstances, the Framework advises that health safeguards are not something which a decision-maker should determine. Specifically, para 118 of the NPPF states that Local Planning Authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

12.2.9 Highway Matters

Concern has been raised regarding the proximity of the proposed mast to the highway and the difficulty of maintaining the mast. The highway authority would require a licence to be submitted to undertake works in this location and have not objected to the proposal subject to conditions requiring visibility splays and the mast being more than 450mm from the carriageway, which is achievable.

12.2.10 Ecology

Concern has been raised that an ecology impact assessment has not been submitted. This is not required with a prior approval application. The ecologist has been consulted and has queried whether the location of the mast is close enough to the trees to require them to be trimmed. It is not considered that

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this will be the case, nonetheless the applicant is willing to agree to a condition which restricts any trimming to outside of the bird nesting season.

13 Planning Balance and Conclusion

13.1 This is an application for prior approval where the planning authority can only consider matters of siting and appearance. For the reasons outlined above it is considered that the proposal is acceptable and, subject to conditions suggested by the highway authority and ecologist, that prior approval should be granted.

13.2 In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

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Appendix 1 – Planning conditions and Informatives

1. The development hereby permitted shall be begun within five years of the date of this permission.

Reason: In accordance with the provisions of Schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo TAD18576_PLANNING_REV_B 002 Site Location Plan
(A3) DrNo TAD18576_PLANNING_REV_B 215 Proposed Site Plan
(A3) DrNo TAD18576_PLANNING_REV_B 265 Proposed Site Elevation

Reason: For the avoidance of doubt and in the interests of proper planning.

3. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres in either direction. Such visibility shall be maintained at all times.

Reason: In the interests of highway safety in accordance with Policy D9 of the Taunton Deane Adopted Site Allocations and Development Management Plan

4. No part of any structure including the foundations shall be erected closer than 450mm to the carriageway edge.

Reason: In the interests of highway safety in accordance with Policy D9 of the Taunton Deane Adopted Site Allocations and Development Management Plan

5. Any work to trees within or adjoining the site required to maintain the operation of the development hereby approved shall take place outside of the bird breeding season (March to September inclusive) unless supervised by a qualified ecologist. If works do take place outside of this period, details of the reason for the works and the name of the qualified ecologist must be submitted to the local planning authority prior to the works taking place and approved in writing.

Reason: In order to protect wildlife in accordance with Policy DM1 of the Taunton Deane Core Strategy

Informatives:

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1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

2. The applicant should contact the Highway Authority's Area Team (countyroadstdeane@somerset.gov.uk) well in advance of any works needing to be carried out to ascertain the appropriate licence for such works.

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