

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	4 th December 2018
Address/Location:	Land off Sudmeadow Road, Gloucester
Application No:	18/00843/TCM
Ward:	Westgate
Expiry Date:	04.09.2018
Applicant:	C/O Agent
Proposal:	Retention of telecommunications equipment and apparatus (amendment to development approved under 16/00728/TCM) comprising 3 No. antennas at height of 15.5m, 300mm dish at 14m, 600mm dish at 20.5m on a 20m high monopole mast. Installation of equipment cabinet and meter cabinet; installation of raised steel grillage supporting equipment cabinets & apparatus, and extension to compound to accommodate additional equipment for Vodafone, enclosed by 1.8m high steel mesh fencing.
Report by:	Caroline Townley
Appendices:	Site location plan and elevation

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located within the grounds of the Gloucester City Football Stadium towards the south west corner boundary.
- 1.2 Planning permission was granted in 2016 for the relocation and installation of a 20 metre high monopole telecoms mast incorporating six no. antennas and four no. 600 mm transmission dishes. The proposal also included the installation of six equipment cabinets to be located within a 10.7 metre by 2.8 metre compound to be bordered by a 1.8 metre high expanded metal fence. The mast and associated equipment was to replace an existing installation located within the football ground approximately 120 metres from the proposed site. The equipment needed to be relocated to allow for the proposed redevelopment of the stadium.
- 1.3 Following grant of planning permission Vodafone identified it as a sharable site for their network and sought to add antennas to the mast, additional equipment cabinets and ancillary apparatus. This was subject of a Regulation 5 Notification to the Council dated 12th December 2017 by WHP telecoms Ltd on behalf of Vodafone. However, at the time of submission of the Regulation 5 Notification the approved development was not in situ and as such permitted development rights afforded by Part 16 of the GPDO did not apply.
- 1.4 As a result the development as constructed on site, with the raised grillage to comply with condition 3 of the extant permission and to accommodate the site share for Vodafone does not have the benefit of planning permission. This is a retrospective application to regularise this situation.
- 1.5 The current application proposes the extension of the approved application site and compound area by 4.3m x 3m to accommodate the Vodafone cabinets and other apparatus, the installation of the raised steel grillage within the whole compound area to a height of approximately 2.2m above ground level. Three Vodafone antennas and a 0.3m diameter dish

are added to the mast at a height of approximately 14m, below the EE antennas and dishes. A 0.6m diameter dish is added to a pole mount at the top of the mast next to the previously approved EE dish of the same diameter. Two Vodafone equipment cabinets and a meter cabinet and ancillary apparatus are added to the raised steel grillage within the extended compound which is enclosed by expanded metal mesh fencing with gate access from the north east elevation.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
98/00056/FUL	Erection of 20m telecommunication mast and equipment cabin at base.	Granted	07.04.1998
04/01500/TCM	Installation of 6 No. antennas and 1 No. 600mm dish for Vodafone mounted on existing 20 metre high dual polar mast. Installation within extended site compound for Vodafone of 2 No. ground based equipment cabinets and ancillary works.	Approved	22.12.2004
15/01329/TCM	Prior Notification of Electronic Communications	PDV	09.10.2015
16/00728/TCM	Application to install replacement 1 no. 20 metre high monopole mast containing six antennas and four transmission dishes and six equipment cabinets located within a 10.70 metres by 2.8 metre compound bordered by a 1.8 metre high expamet fence.	Granted	07.09.2016

3.0 RELEVANT PLANNING POLICY

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS (Main Modifications) include:

SD4 – Design requirements

SD14 – Health and environmental quality

INF2 – Flood risk management

INF6–Infrastructure delivery

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF sets out that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.) Therefore it is considered that the 1983 Local Plan is out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy.

3.5 Emerging Development Plan Gloucester City Plan

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

3.6 **Other Planning Policy Documents**

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application.

4.0 **CONSULTATIONS**

4.1 **Fisher German (Agents for CLH Pipeline System)** - Confirm that apparatus belonging to CLH Pipeline System may be affected by the proposals. No work should be undertaken or activity without first contacting the CLH Pipeline Operator for advice, and if required, Works Consent.

4.2 **Environment Agency** – The application appears to be a lower risk planning consultation which does not require direct consultation with the Environment Agency.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and a site notice was displayed.

5.2 No letters of representation have been received.

5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 **OFFICER OPINION**

6.1 ***Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:
a) the provisions of the development plan, so far as material to the application;
b) any local finance considerations, so far as material to the application; and
c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows

6.5 **Principle**

Planning permission was granted in 2016 for a monopole structure as a replacement for an existing telecommunications installation. The current application only relates to the additional equipment cabinets and ancillary apparatus that have been added to the mast to facilitate the sharing of the structure.

6.6 Paragraph 113 of the NPPF states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged.

6.7 Paragraph 116 of the NPPF sets out that Local Planning Authorities must determine applications on planning grounds and should not seek to prevent competition between operators, question the need for the telecommunications system or determine health safeguards if the proposal meets International Commission guidelines for public exposure. The application is accompanied by a valid ICNIRP certificate. The certificate provides assurance that the equipment complies with both national and international emissions standards and that the proposed design and location allows the equipment to be well within the parameters set by the ICNIRP standard. The submitted declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the site.

6.8 The site sharing of telecommunications installations is encouraged and in accordance with national policy and negates the requirement for an additional mast.

6.9 ***Design, Layout and Landscaping***

The NPPF states that good design is a key aspect of sustainable development. Paragraph 127 sets out criteria for achieving well-design places while paragraph 130 provides that permission should be refused for development of poor design.

6.10 The monopole type structure is located towards the rear of the football stadium site and is viewed within the context of the adjacent Spinnaker Park industrial estate and redeveloped football stadium. Overall it is considered that the proposed siting is acceptable and as least visually obtrusive as possible.

6.11 ***Residential amenity***

Paragraph 127 (f) of the NPPF provides that planning should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.12 The mast and associated equipment is located at the rear of the football club adjacent to the boundary of the industrial park. The closest residential properties are located in excess of 230 metres from the mast and a greater distance from the mast it replaced.

6.13 ***Drainage and flood risk***

The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.

6.14 The site is located within the flood plain and the equipment has been sited above the predicted flood risk levels to ensure their safe operation should a flood event occur and to allow the flow of flood waters below the grillage to prevent increasing the flooding risk elsewhere.

6.15 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. In the context of the NPPF advice that “*significant weight should be placed on the need to support economic growth and productivity*”, this adds some limited weight to the case for granting permission.

6.16 The NPPF recognises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being and that planning should support the expansion of electronic communications networks.

6.17 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

7.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

7.1 That planning permission is GRANTED subject to the following conditions;

Condition 1

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 100, 201 and 301 Rev A except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 2

There shall be no additional storage or infilling of the area within the enclosed compound. This area must remain free and unobstructed at all times.

Reason

To ensure that there is no loss of flood storage capacity as a result of the development to prevent loss of flood storage capacity to alleviate the increased risk of flooding.

Note

The Government Pipelines and Storage System (GPSS) may be affected by the proposals. No work or activity should be undertaken without first contacting the GPSS Operator for advice and, if required, Section 16 Consent. The GPSS Operator can be contacted at Central Services, Ashdon Road, Saffron Walden, Essex, CB10 2NF (e-mail Anne.Swallow@grupoclh.com) 01799 564101. For additional information please visit www.linesearch.org.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Person to Contact: Caroline Townley (396780)

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Committee Date: |

