

# GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	22 <sup>th</sup> September 2019
Address/Location:	St Albans Road, Gloucester
Application No:	19/00778/FUL
Ward:	Podsmead
Expiry Date:	02.10.2019
Applicant:	Beacon Comms Group
Proposal:	Removal of the existing 20m lattice tower and replacement with a 25m lattice tower with 12 apertures, 1 x 0.3m dish antenna, associated equipment, 4 cabinets all within the existing compound, surrounded by a 1.8m high palisade fence.
Report by:	Shane Burgess
Appendices:	Site Location Plan

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located within the grounds of Ashville Industrial Estate off St Albans Road, in the Podsmead ward of the city.
- 1.2 Planning permission was granted in 2004 for the Erection of a 20 metre Lattice Tower, carrying 3 no. 1.7 metre antennae at 18.3 metres and 3 no. 0.3 metre transmission dishes at 17.5 metres and associated equipment cabinets in a secure compound.
- 1.3 As part of the applicants continued network improvement program, the applicant proposes to upgrade the existing site to facilitate additional coverage and capacity requirements, incorporating not only 4G but also 5G technology.
- 1.4 As a result, the application proposes the removal of the existing 20m lattice tower and its replacement with a 25m lattice tower with 12 apertures, 1 x 0.3m dish antenna, associated equipment, 4 cabinets all within the existing compound, surrounded by a 1.8m palisade fence.

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
94/03014/FUL	Erection of maintenance depot with associated compound and parking facilities. Construction of service road.	Granted subject to conditions.	14.12.1993
94/05032/FUL	Erection of maintenance depot with ancillary offices. Provision of associated compound, parking facilities and service road. (Amended application).	Granted Subject to Conditions.	17.11.1994
04/00156/FUL	Erection of a 20 metre Lattice Tower (Eve Type Nine Mast) carrying 3 no. 1.7 metre	Withdrawn.	06.04.2004

	antennae at 18 metres and 3 no. 0.3 metre transmission dishes at 17.5 metres and associated equipment cabinets in a secure compound.		
04/00474/FUL	Erection of a 20 metre Lattice Tower (Eve Type Nine Mast) carrying 3 no. 1.7 metre antennae at 18.3 metres and 3 no. 0.3 metre transmission dishes at 17.5 metres and associated equipment cabinets in a secure compound (resubmission).	Granted subject to conditions.	08.06.2004
15/00141/TCM	Licence notification for cabinet and replacement antennae.	Permitted Development.	04.01.2016
18/01324/TCM	Upgrade existing telecommunications installation	No objection.	29.10.2018
19/00710/TCM	Removal of the existing 20m lattice tower for a 25m lattice tower with 12 apertures, 1 x 0.3m dish antenna, associated equipment, 4 cabinets all within the existing compound, surrounded by a 1.8m palisade fence.	Withdrawn.	17.07.2019

### 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 (2017) 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 states 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.

## 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:

- principle
- visual impact
- amenity impact
- drainage impact

### 6.5 **Principle**

Planning permission was granted in 2004 for a 20metre high lattice tower. The current application relates to a replacement lattice tower 25metre high and ancillary apparatus. Therefore the principle of a lattice tower of some description, in this location, has already been established.

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) and/or replacement mast/towers should therefore 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 completion 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 **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. This is reiterated in Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.
- 6.9 The height and design of the proposed apparatus is the minimum capable of providing the technological improvements sought and satisfying ICNIRP requirements. Whilst it is acknowledged that there is an increase in the scale of telecommunications development on the site, it should be noted that the new technologies will provide advanced high-quality communications infrastructure essential for economic growth as sought by the NPPF.
- 6.10 Furthermore, the lattice tower structure would be located towards the rear of Ashville Industrial Estate and is viewed within the context of the adjacent industrial estates light industrial, storage and distribution warehouses. Overall it is considered that the proposed siting is acceptable and given its location at the rear it would be as least visually obtrusive as possible. Summarily it is considered that the proposal conforms to Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.
- 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. This is reflected Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.
- 6.12 The mast and associated equipment are located at the rear of the industrial park. The closest residential properties are located in excess of 200metres from the mast and views are broken by the existing industrial warehousing and infrastructure. The proposal would therefore not significantly adversely affect the amenity of adjacent occupants, so would conform to Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.
- 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 a level 2 flood zone (Medium risk of flooding). The proposed works will replace the existing mast and will utilize the existing pile foundations. There will therefore be no overall increase in hard standing nor any connection to water systems that would increase demand on drainage. The proposed works will have no effect on flooding and run off at the development site. In the context of flood risk, the new proposal would not be materially different to the existing infrastructure already in place. The proposal would therefore conform to Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.

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 begun before the expiration of three years from the date of this permission.

**Reason**

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

**Condition 2**

The development hereby permitted shall be carried out in accordance with the following approved drawings, except where these may be modified by any other conditions attached to this permission:

- 1106476\_GLO016\_22843\_GLO029\_M002 Rev B (215 MAX CONFIGURATION SITE PLAN)
- 1106476\_GLO016\_22843\_GLO029\_M002 Rev B (265 MAX CONFIGURATION ELEVATION)

**Reason**

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

**Condition 3**

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 in accordance with Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017.

**Note 1**

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

**Note 2**

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:** Shane Burgess (01452 396822)

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Address: | St Albans Road Gloucester

Committee Date: | 02.10.2019

