

[REDACTED]

From: Gerraint Oakley <[REDACTED]>
Sent: 11 November 2016 22:30
To: Planning; Goldsworthy, Marcus J; Gerraint Oakley
Cc: Wiliam, Steffan T (Cllr); Hodges, Nic P (Cllr); Alun Cairns; Johnson, Fred T (Cllr)
Subject: Re: Objection to Planning Application 2016/01274/PNT

For the attention of the Head of Planning and Regeneration – Marcus Goldsworthy

In addition to the points in my earlier email I would be grateful if you could explain why this is being regarded as permissible development when the following exception is being ignored.

"Exceptions to the permitted development rule

The *GPDO 2015* lists a number of exceptions to the permitted development rule. If any of the criteria are satisfied, express planning permission for the electronic communications development is required from the LPA.

The exceptions to the permitted development rule are dealt with under the following categories of electronic communications development:

- Electronic communications apparatus.
- *Antenna.*
- *Radio mast or tower.*
- *Radio equipment housing.*

Electronic communications apparatus

Apparatus on a building or structure

Planning permission **is** required from the LPA for the installation, alteration or replacement of electronic communications apparatus on a building or structure (such as an electricity pylon) if any of the following criteria are met:

- The height of the apparatus by itself is more than:
 - 15 metres, on a building or structure that is 30 metres or more in height; or
 - **10 metres, in any other case.**
- The highest part of the apparatus when installed, altered or replaced is greater than the highest part of the building or structure it is situated on by more than:
 - 10 metres, on a building or structure that is 30 metres or more in height;
 - 8 metres, on a building or structure that is more than 15 metres but less than 30 metres in height; or...."

I also would like to have clarification on how the council can use "common land" for commercial leasing and income, as opposed to locating telecommunications equipment on, or adjacent to public highways etc.

What other locations have been considered during the process?

I await your response within the council's agreed service request timescale.

Regards
Gerraint
[REDACTED]

On 11 Nov 2016, at 19:27, Gerraint Oakley <[REDACTED]> wrote:

For the attention of the Head of Planning and Regeneration – Marcus Goldsworthy

Your reference:

Planning Application 2016/01274/PNT

11th November 2016

Dear Mr Goldsworthy

Re: Planning Application - 2016/01274/PNT

The above named planning application has been submitted for the following:

"Installation of a 12.5m slim-line mock telegraph pole supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development there to."

I understand that this is a prior notification for a permitted development and the visual impact will be considered in the decision. It will be positioned on the common land between the end of the footpath from Westward Rise and the cliff top fence line.

Both Baruc Ward councillors were consulted on 2nd November and the planning department have until 20th December for the council officer to make a determination decision.

The single public site notice went up on 4th November and will be displayed until 25th November; at no time have residents been directly consulted.

This mast will be directly outside resident's homes and is positioned in a highly prominent and visually beautiful area that forms part of the Welsh Coast footpath through Barry. I would find it astonishing that anyone could be of the opinion that the location, size and nature of this proposal would not have a significantly detrimental effect on the area.

I object to the proposal on a number of grounds;

1. There will be significant detrimental impact both visually and environmentally
2. A full environmental impact assessment has not been undertaken
3. There is a significant risk to health and safety
4. It will have a significant impact on property values
5. Noise levels will prevent residents from enjoying their existing environment

This should be heard at development control committee and not determined under delegated powers at officer level. This should not be determined under permitted development rights and should be a full planning application. I request that you make an Article 4 Declaration.

I understand that a Judicial Review challenge may be triggered should this application be determined without proper adherence to lawfulness. A number of the residents effected are over 65 and therefore they can have their legal fees capped through Judicial Review.

I request that you confirm your views on the submission, respond to the points made above and let me know if you intend to protect this area.

Thank you.

Yours sincerely

Gerraint

