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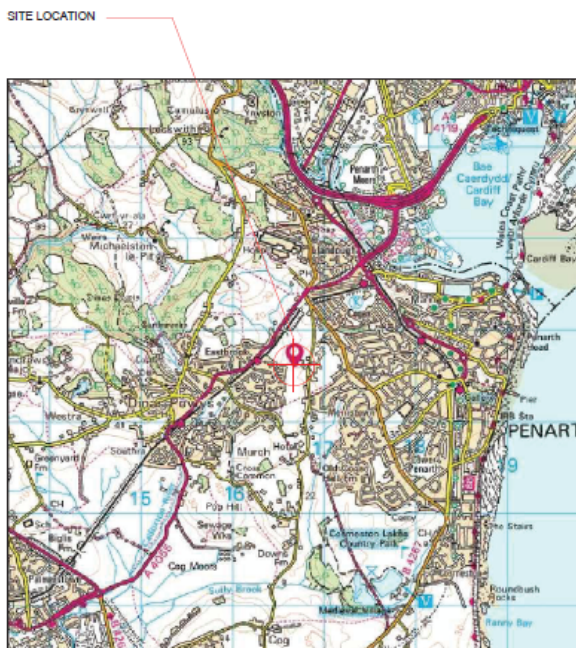
Sully Road, Penarth

Replacement of the existing 15m telecommunication mast with a 20m Lattice tower to accommodate new and upgraded telecommunications equipment within the existing 11.5x7.6m fenced compound

SITE AND CONTEXT

The application site relates to an existing telecommunications ‘monopole’ and associated infrastructure within its own fenced compound, located approximately 122 metres west of Sully Road, to the west of Penarth. The existing compound is located to the immediate south-west of Erw’r Delyn Stud Farm. The Dinas Powys Settlement Boundary lies approximately 113 metres to the west of the site.

The site is located outside of any residential settlement boundary as identified in the adopted Vale of Glamorgan Local Development Plan (2011-2026) and is therefore classified as falling within the countryside. The site also falls within a Green Wedge.



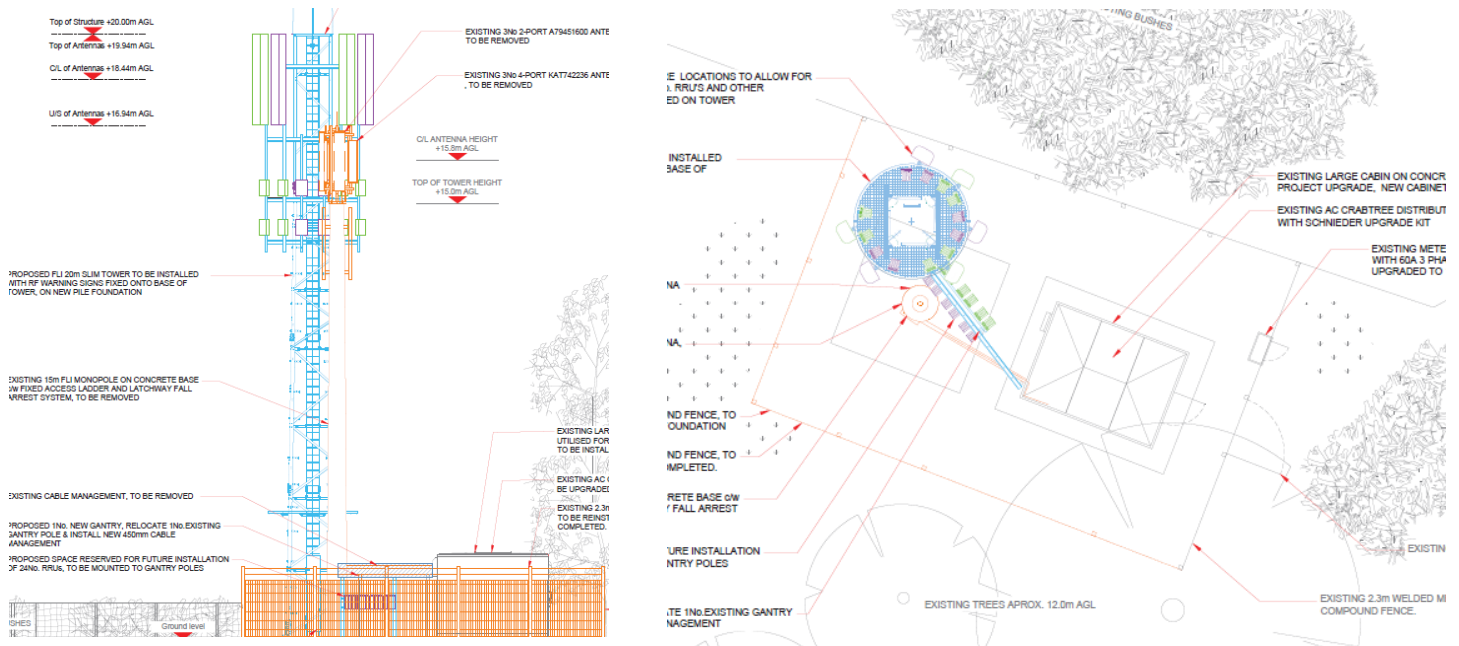
DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for the replacement of the existing telecommunications monopole with a new telecommunications lattice tower supporting 12 antennae. The application also proposes 7 ground-based cabinets, fencing and other ancillary works within the existing compound.

The existing monopole to be demolished measures approximately 16.8 metres in height to the top of the antenna. The proposed new lattice tower would measure approximately 20 metres in height to the top of the structure.

It is stated that the proposal would provide enhanced high quality communications infrastructure to eastern Penarth and the Eastbrook area of Dinas Powys, providing greater 2G, 3G, 4G and 5G coverage.

Details of the proposal can be viewed below:



PLANNING HISTORY

From an examination of the Council's records, it appears the site has no relevant planning history.

CONSULTATIONS

Penarth Town Council was consulted on 28.02.19 and a response received on 22.03.19 states 'no objection subject to Officers being satisfied that the legal requirements are met and up to date.'

Shared Regulatory Services (Pollution) were consulted on 28.02.19 and at the time of writing this report, no comments had been received.

Cornerswell Ward Members were consulted on 28.02.19 and to date no comments have been received.

REPRESENTATIONS

The neighbouring properties were consulted on 28.02.19 and two site notices were displayed on 20.03.19. At the time of writing this report, no letters of representation had been received.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy

Managing Growth Policies:

POLICY MG18 – Green Wedges

Managing Development Policies:

POLICY MD1 - Location of New Development

POLICY MD2 - Design of New Development

POLICY MD7 - Environmental Protection

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 10, 2018) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being through Placemaking

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Development in the Countryside
- Managing Settlement Form –Green Wedges

Chapter 5 - Productive and Enterprising Places

- Economic Infrastructure (electronic communications)

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 19 – Telecommunications (2002)

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG is of relevance:

- Design in the Landscape

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

In assessing the proposal against the above policies and guidance, the principal issues to consider include the scale and design of the telecommunications tower, and its impact on the visual amenity of the surrounding area. Also to be assessed is the impact on the green wedge, and the potential impact on neighbouring residential amenity. These matters will be considered in turn below.

Design/Scale and Impact on Visual Amenity

The proposal relates to the replacement of an existing monopole telecommunications tower with a new lattice telecommunications tower, supporting 12 antennae. As such, the principle of a telecommunications tower in this location is already accepted, and the re-use of an existing site is considered appropriate.

-The proposed tower would be approximately 3.2 metres taller, and the lattice tower would have significantly more bulk than the existing monopole, ~~with it utilising a more traditional lattice design than the existing 'slimline' tower.~~ Within the supporting documentation submitted as part of the application, it is stated that the height of the proposed apparatus is the minimum height capable of providing the technological improvements sought. Whilst it would be taller and have more bulk a larger than the tower than is currently on site, when viewed from a distance, from the nearest public highway (located approximately 122 metres away) it is considered that these changes would not appear as significant changes to the current situation, and overall the lattice tower would not have any ~~be significant additional impacts + than y lthearger or more notable than~~ existing monopole.

The site is generally well-screened from public view, with significant amounts of screening provided by mature trees and bushes. Whilst certain aspects of the tower would be visible from Sully Road to the east of the site, as stated mentioned above, due to the distance and the overall relatively modest scale of the proposed changes, the impact on the character of the surrounding area would not be significant and is considered acceptable.

When taking into account the single storey nature of the proposed changes to the ground-based equipment cabinets, and other ancillary works included on the plans, the visual impact of these structures and changes is considered to be negligible.

On this basis, it is considered that the development would not detrimentally impact on the visual amenity of the surrounding area, and would therefore be compliant with Policies SP1, MD1 and MD2 of the LDP.

Green Wedge

The application site is located within the Dinas Powisy, Penarth and LLANDOUGH Green Wedge, where Policy MG18 (Green Wedges) seeks to prevent coalescence of settlements and to retain the openness of land. The proposal relates to the replacement of an existing telecommunications tower and ground based equipment, and whilst the proposed tower would be slightly larger in size and scale, it would not alter the openness of the land between the two settlement of Penarth and Dinas Powys. As such the proposal is considered compliant with Policy MG18 of the LDP.

Impact on Residential Amenity

Whilst the site is in relative close proximity to Erw'r Delyn Stud Farm, the nearest group of neighbouring dwellings are located approximately 120 metres to the west of the site, across agricultural land. Whilst slightly larger in size and scale than the existing telecommunications tower, the proposed lattice tower and ancillary structures are considered to be located a sufficient distance from these neighbouring properties to not be harmful to the residential amenity of the occupiers. The structure would not be overbearing or result in any noise nuisance given the distance, the appropriate design, the scale and bulk of the development.

With respect to the potential health concerns regarding telecommunications development, Planning Policy Wales (edition 10) outlines the following in paragraph 5.2.15. It states that:

“Provided that the development meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, planning authorities should not consider the health aspects of mobile telecommunications equipment. All new base stations are expected to meet the ICNIRP guidelines.”

It is stated that tThe equipment is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP). A declaration of conformity with ICNIRP was included with the application. In the absence of an objection from Environmental Health and in line with the advice contained in TAN19 and Planning Policy Wales, it is considered that the proposal does not represent a potential risk to health.

On this basis, it is considered that the development would not unacceptably impact upon neighbouring residential amenity or public health, in accordance with Policies MD2 and MD7 of the LDP.

In light of the above, the following recommendation is made.

REASON FOR RECOMMENDATION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to Policies SP1 (Delivering the Strategy), MG18 (Green Wedges), MD1 (Location of New Development), MD2 (Design of New Development) and MD7 (Environmental Protection) of the adopted Vale of Glamorgan Local Development Plan (2011-2026), Supplementary Planning Guidance on Design in the Landscape, and national policy and guidance contained within Planning Policy Wales (Edition 10) and TAN 19 (Telecommunications), it is considered that the proposal is acceptable, by reason of its appropriate design and scale, with no significant detrimental impact to the character of the surrounding area, no adverse impact on the Green Wedge, and no detrimental impact on public health and the amenities of neighbouring occupiers. The proposal therefore complies with the relevant planning policies and supplementary planning guidance.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

100 Existing Elevation A
100 Existing Site Plan
265 Max Configuration Elevation
215 Max Configuration Site Plan
92703 - Supplementary Information
002 Site Location Plan
Declaration of Conformity with ICNIRP Public Exposure Guidelines

(All plans/documents received on: 20.02.19)

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.