

**11 DCSE2005/0920/F - PROPOSED TELECOMMUNICATIONS INSTALLATIONS CONSISTING OF A 22.5M LATTICE TOWER AND ANCILLARY DEVELOPMENT AT QUEENS TUNNEL, SWAGWATER LANE, GORSLEY, ROSS-ON-WYE, HEREFORDSHIRE, HR9 7SL**

**For: T-Mobile UK Ltd per AWA Ltd, Efford Park, Milford Road, Lymington, Hampshire, SO41 0JD**

**Date Received: 23rd March, 2005    Ward: Old Gore    Grid Ref: 67514, 26994**

**Expiry Date: 18th May, 2005**

Local Member:    Councillor J.W. Edwards

## **1. Site Description and Proposal**

1.1 This proposal is for a telecommunications mast of 22.5 m. with a compound for the necessary equipment and cabinets. It would be situated close to the southern boundary of Queens Wood and just to the north-west of the M50 motorway at Gorsley. The nearest houses to the site are Woodside Cottage (about 70 m. away) and Steelworks Farm (about 185 m. away). It is adjacent to the intersection of the footpath leading from Sweagwater Lane and public footpath LTR13.

1.2 The proposal has been amended twice since being submitted. Firstly the location has been moved in order not to obstruct the public footpath and secondly the slimline tower has been reduced in width by about 1 m. The reason given for the additional mast is to fill a gap in coverage along the M50 corridor between Linton Wood and Oxenhall Wood.

## **2. Policies**

### **2.1 Planning Policy Guidance**

PPS7	-	Sustainable Development in Rural Areas
PPG8	-	Telecommunications

### **2.2 Hereford and Worcester County Structure Plan**

Policy CTC1	-	Area of Outstanding Natural Beauty
Policy CTC2	-	Area of Great Landscape Value
Policy CTC6	-	Development and Significant Landscape Features

### **2.3 South Herefordshire District Local Plan**

Policy C1	-	Development within Open Countryside
Policy C41	-	Telecommunications Development
Policy C42	-	Criteria to Guide Telecommunication Development

## 2.4 Herefordshire UDP (Revised Deposit Draft)

Policy CF3 - Telecommunications

## 3. Planning History

3.1 There have not been any previous applications for development of this site.

## 4. Consultation Summary

### Statutory Consultations

4.1 No statutory or non-statutory consultations required.

### Internal Council Advice

4.2 Traffic Manager has no objection to the proposal as the amended location does not obstruct any public right of way.

4.3 The Conservation Manager has no objections to the proposal.

4.4 Head of Environmental Health has no adverse comment.

## 5. Representations

5.1 The applicant's agent has submitted a detailed justification for the proposed mast and its location. These are included as an appendix to this report. In brief the following reasons are given:

- (1) gap in coverage between Oxenhall Wood and Linton Wood and new facility would benefit local residents and businesses as well as in-car coverage. Coverage plots are submitted,
- (2) site selected to minimise impact on visual amenity : within a group of mature trees 16 m. - 20m. high, providing excellent screening from all directions, other than fleeting glimpses by travellers on motorway,
- (3) slimline tower, now only about 1-5m. at base with no bulky head-frame as antennas and dish attached directly to latticework,
- (4) site is within area of nature conservation interest [Ancient Woodland] but close to existing track and minimal loss of trees,
- (5) well away from any school and nearest residential property is a good 60 m. away,
- (6) alternative sites have been investigated : the site of the nearest of Woodhouse Farm is now in private ownership and owner unwilling to allow mast sharing; other sites are either too prominent in landscape or do not provide adequate coverage.

5.2 Linton Parish Council's observations are as follows:

At its meeting tonight, Council objected, as set out in the Parish Plan. The relevant section of the Plan is quoted below:

F2.2 Masts and Towers. The proliferation of telecommunications masts has caused public concern in the Parish and, in 2003, real anger at the absence of any consultation over commercial intentions. These masts are a blight on the landscape and public health concerns have not been allayed by bland assurances. The Community Planning Day results including this telling (and much endorsed) comment: No More Masts. New Services on Existing Masts. No excuses.

- The Council has no power to resist new telecommunications masts but will nevertheless continue to do so and will press for the strictest compliance with the Unitary Development Plan (Herefordshire Unitary Development Plan (UDP) Revised Deposit Draft (May 2004) S 13.4.12 (CF figure 3). The most vigorous opposition will be mounted against any new mast to be erected within 250 metres of any residence.
- 5.3 Upton Bishop Parish Council state that they will support Gorsley's position as it falls within this Parish. However they would ask that consideration be given to ensuring the mast blends in with its surroundings.
- 5.4 7 letters have been received objecting to or expressing concern, one of which includes a petition with 23 signatures. One very detailed letter is included as an appendix. In summary the remaining letters raise the following matters:
- (1) There are 5 masts within 5 km. radius of this site; including one at Woodhouse Farm,
  - (2) 4 masts along a 1 mile stretch of M50 in Gorsley plus police CCTV mast at junction 3. This is an area of great natural beauty which is being spoiled by these structures,
  - (3) would be much higher than surrounding trees and offensive antennae would show above skyline,
  - (4) Wide stretch of land south-east of Queens Tunnel is open and unforested and so tunnel area visible from many parts of Gorsley village as far as B4221 at Christchurch - a real blot on very fine landscape and eyesore to local residents and walkers,
  - (5) foresters are cutting out mature conifers making it more visible in future,
  - (6) sited where two public footpath meet and close to forest tracks which is not acceptable to The Ramblers Association,
  - (7) part of forest trail frequently used by walkers and near to daffodil walk - wild daffodils are famous in the Dymock area and attract many visitors,
  - (8) is the effect on flora especially daffodils and orchids being taken into account?
  - (9) will it obstruct a public right of way?
  - (10) can Council guarantee no risks to human health? It is still debatable whether there are risks to people and livestock and in this case already 4 masts are emitting electro-magnetic radiation : would a further mast increase radiation to dangerous levels? Many houses would have a direct view of the mast,
  - (11) 10 children in immediate area. Unexplained health problems by resident living close to nearest existing mast,
  - (12) Vodaphone contract expired 2 years ago yet refusing to remove Woodhouse Farm mast despite owners strong wishes,
  - (13) 80% coverage is acceptable according to Government - surely already met,
  - (14) No pre-application consultation with local residents and inadequate planning notices - residents want to be involved in decision making process,
  - (15) will de-value local properties - are Council responsible for loss of value?

The full text of these letters can be inspected at Southern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

## **6. Officers Appraisal**

- 6.1 The submitted maps show a definite gap in coverage for a 2 km. stretch along the M50 which would be filled by the proposed mast. The issues raised by this proposal are therefore the effect on visual amenity and the effect on health.
- 6.2 There are trees on both sides of the M50 at this point although only a narrow strip along the south-eastern side of the M50 as opposed to a large wood to the north and west. Nevertheless this would help to limit views of the mast except from the Gorsley area. The top of the mast would be above the treeline but the type of mast and equipment have been chosen to minimise its impact.
- 6.3 Views close up from the public footpath could not readily be screened. In this case the representations indicate that the footpaths are well used especially in spring. Some additional planting outside the compound may be practicable but this would not fully overcome this problem. It seems generally accepted that woodland is the least harmful location for these masts and necessarily they must be close to a track suitable for vehicles (for erection and subsequent maintenance). Many woodland tracks, whether or not officially public footpaths, are used informally by local residents.
- 6.4 A further point raised by objectors is that between junctions 2 & 3 of the motorway there are already 4 masts. This may be more noticeable from the motorway as they are glimpsed in quick succession. It would be very close to the mast at Woodside Cottage. The future of the latter mast is uncertain but nevertheless the number of masts and the proximity of that proposed to well-used footpaths does mean that the proposal is not ideal. However given the demonstrated need and the lack of a more suitable alternative it is considered that there are insufficient grounds to refuse permission.
- 6.5 The Government's advice is that where the application is accompanied by a ICNIRP certificate, assuring that the proposal meets internationally accepted guidelines for limiting exposure to electro-magnetic fields, the local planning authority should not need to consider health effects further. Such a certificate has been submitted in this case. The question of the cumulative effect of the existing and proposed masts has been raised in the representations and further advice is being sought on this point.
- 6.6 In some cases it has been held that the fear or perception of danger to health is grounds for refusing permission. The degree of concern raised by the current proposal is not readily discerned. Certainly some evidence is cited questioning the safety standard adopted. There is a case of ill-health. However although the representations indicate an understandable degree of concern it is not thought that this is grounds to refuse permission.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

- 1. A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2. G04 (Landscaping scheme (general) )**

**Reason: In order to protect the visual amenities of the area.**

**3. G05 (Implementation of landscaping scheme (general) )**

**Reason: In order to protect the visual amenities of the area.**

**Informative(s):**

**1. N15 - Reason(s) for the Grant of Planning Permission**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.