

DC/2015/01378

INSTALLATION OF 30.5m HIGH LATTICE TELECOMMUNICATION TOWER TO SUPPLY BROADBAND TO THE SURROUNDING AREA, AS PART OF A CONTRACT AWARDED BY THE DEPARTMENT OF CULTURE, MEDIA AND SPORT TO SUPPLY SUPERFAST BROADBAND TO A NUMBER OF RURAL AREAS IN MONMOUTHSHIRE, WHERE TRADITIONAL MEANS ARE UNAVAILABLE

LITTLE SKIRRID, COLDBROOK, ABERGAVENNY

RECOMMENDATION: APPROVE

Case Officer: Andrew Jones

Date Registered: 20th November 2015

1.0 APPLICATION DETAILS

- 1.1 This application relates to land at Skirrid Fach (Ysgyryd Fach) which is a distinctive, somewhat conically shaped hill to the east of Abergavenny. It is one of a series of hills and mountains which form part of the setting of the town. The particular site is located 2km to the south-east of the centre of Abergavenny and is at the highest point of the Skirrid at approximately 255m AOD.
- 1.2 AB Internet has been contracted by the Department of Culture, Media, and Sport to supply super-fast rural broadband to a number of areas in Monmouthshire, where no alternative options are available in the area. This proposal forms part of a wider scheme to install a combination of towers and 'ecopops' throughout the County that would effectively communicate with one another.
- 1.3 It is proposed to erect a lattice communication tower within a new fenced compound. The tower would be installed in two phases. In the first phase the tower would be built to a height of 12.2m. This will remain so for 7 years at which point the remainder of the 30.5m tower will be constructed. After 25 years the mast would be reduced to a 12.2m tower height. This sequence presumes a 25 year felling cycle for woodland.
- 1.4 The tower (at capacity) would host eight radios, four of which will receive connectivity from existing infrastructure and broadcast to other sites, and the remaining four would broadcast the signal to the surrounding area to connect to customers. The area would be enclosed via 2m high fencing. Additional apparatus includes an outdoor cabinet measuring 882 x 600 x 600mm.

2.0 RELEVANT PLANNING HISTORY

None

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S13 – Landscape, Green Infrastructure and the Natural Environment

S16 – Transport

S17 – Place Making and Design

Development Management Policies

EP1 – Amenity and Environmental Protection
EP4 - Telecommunications
DES1 – General Design Considerations
MV1 – Proposed Developments and Highway Considerations
NE1 – Nature Conservation and Development
LC3 – Brecon Beacons National Park
LC5 – Protection and Enhancement of Landscape Character
GI1 – Green Infrastructure

4.0 REPRESENTATIONS

4.1 Consultations Replies

- 4.1.1 SEWBREC Search Results – Various Category 1, 2 and 3 species recorded within 250m of the site
- 4.1.2 Llanover Community Council – recommend the application is approved.
- 4.1.3 Western Power – have not responded to date.
- 4.1.4 Highway Engineer – has not responded to date.
- 4.1.5 Abergavenny Civic Society – provided the following comments:
- Proposal will introduce an element to this high quality landscape that does represent a significant, or more than minor, change contrary to the applicants' landscape architect.
 - Acknowledge the applicant has made efforts to reduce the impact of the tower via its design and the phasing of its height in relation to tree growth.
 - While the tower is quite slim, account must be taken of the equipment mounted to it and perhaps the red light that may have to shine at its top.
 - The tower will be conspicuous on the Little Skirrid skyline from many parts of an urban area with a population of around 15,000.
 - Impact on the town is underplayed by making assessments only from Castle Meadows and six rural locations.
 - Photographic evidence can be misleading.
 - Only brief reference is made to the line of sight considerations and two unspecified uplink sites.
 - Why cannot those beyond the effective range of the landline services use direct satellite services, or can a network of more towers avoid such prominent locations in the rural landscape.
 - Lack of information defies guidance of TAN19.
 - Disappointed by lack of consultation with local interest groups.
- 4.1.6 MCC Landscape Officer – provided the following comments:
- Following a site inspection and a desk top study of site constraints, management policies, design guidelines and the LVIA; it is considered that the proposed development would be acceptable based on the following condition:
In addition to the proposed mitigation measures (LVIA), to satisfactorily reduce the adverse impact on landscape character a Green Infrastructure (GI) Bond of £7000 is suggested to mitigate its adverse impact on landscape character; to improve the connectivity between other important GI Assets, by improving the quality of the PROW network.

Reason: A poorly located and designed telecommunication project will negatively affect perception and increase resistance to necessary change, as well as diminish the beauty of the Welsh landscape which is essential for quality of life and something we should be safeguarding for 'future generations'.

1. There are many complex tensions in the landscape which need to be managed and balanced.
 - a) The introduction of a strong vertical element into a distinctive and prominent landform will cause a significant change.
 - b) The proposal will have many benefits to the wider community and its end use supports other important Green Infrastructure benefits; my opinion is balanced with this in mind.

Other comments:

It should also be noted that contrary to comments submitted within the applicants LVIA, development of this type will cause a significant change on a highly sensitive landscape of special character (LC3), and high amenity value by causing a significant visual intrusion. Having said that, the mitigation measures are considered and incorporated appropriately into the development, which significantly reduce its visual impact and go some way to reduce its impact on landscape character.

4.1.7 MCC Public Rights of Way Officer – has not responded to date.

4.2 Neighbour Notification

4.2.1 There have been four representations received to date and the points raised are summarised below:

- I have walked this hill for over 30 years, it was bad enough to see all the trees chopped down, now this mast will ruin the hill forever just to provide broadband to a few.
- Will create an eyesore not only from my property but the whole of Abergavenny and the surrounding area.
- Will affect local people as well as tourism.
- Will not be hidden by the trees and will dominate previously beautiful landscape.
- The application contains no information, as required under national planning guidance on telecoms development, as to the area intended to be covered by the proposed mast nor as to any alternative solutions [such as mast sharing] or sitings that may have been assessed.
- As such this application should be rejected as having totally inadequate supporting information and justification.
- In any event this particular site for a 30m mast is totally inappropriate.
- It could not be in a more prominent location on the summit of one of the iconic seven hills of Abergavenny from which there are wide views over the town, the surrounding countryside, the vale of Usk and the National Park, notably the Skirrid Fawr and Blorenge.
- The proposed mast would greatly intrude into the views from the very well-used footpath within that part of the National Park.
- While any development that improves broadband services in the area are to be welcomed in principle, this particular proposal shows a distinct lack of appreciation of the landscape around Abergavenny.
- The proposed site is in a particularly prominent site for which no justification has been given.

5.0 EVALUATION

5.1 Principle of Development

5.1.2 Planning Policy Wales (PPW, 2014) recognises that *widespread access to affordable, secure telecommunications infrastructure is important to citizens and businesses across Wales*. However, it also acknowledges well-established policies for the protection of the countryside.

However it does set out that *Local Planning Authorities are encouraged to respond positively to telecommunications development proposals, whilst taking account of the advice on the protection of urban and rural areas*.

PPW also makes clear the following key considerations for determining applications for planning approval:

- the extent to which radio and telecommunications masts can be shared; and
- the need for dishes and other installations to blend with their backgrounds.

In this instance a new structure has been chosen, as there are no structures in the area with both line of sight to the two uplink sites (from which the site will receive broadband connectivity) and line of sight to the areas that require connectivity. The site needs to have clear line of sight to the uplink site in order to receive broadband connectivity wirelessly so that this can be transmitted to properties in the surrounding area. Trees can affect the line of sight, as 5GHz radio frequencies cannot pass through trees, therefore a location has been chosen in which trees will not have an adverse impact.

5.1.3 Further guidance is provided in Technical Advice Note (TAN) 19 *Telecommunications* which reaffirms the importance of sensitive sites in that *high priority should be given to protecting such areas and the need to safeguard areas of particular environmental importance*.

It also goes on to set out that *Local Planning Authorities may reasonably expect applications for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure such as an electricity pylon*. In this instance the applicant has advised that three other sites were considered, including existing masts. These were discounted for a number of reasons which included not having the required coverage, high operating costs and not having the required height for line of sight to other sites.

5.1.4 Policy EP4 *Telecommunications* of the Monmouthshire Local Development Plan (LDP) sets out planning conditions may be imposed to secure within an agreed timescale the removal of telecommunication apparatus and site restoration following permanent decommissioning. Therefore should consent be granted, a condition would need to be attached to ensure the tower is removed and a scheme is agreed for the restoration of the land.

5.2 Visual Amenity and Landscape Impact

5.2.1 The Countryside Council for Wales (now part of NRW) undertook an extensive landscape character assessment of Wales using the LANDMAP information system. LANDMAP is a Geographical Information System-based landscape resource where landscape characteristics, qualities and influences on the landscape are recorded and evaluated into a nationally consistent set of data. In LANDMAP the landscape is defined under five separate categories: geological; habitat; visual and sensory; historic and cultural. LDP Policy LC5 refers to LANDMAP. In determining the

landscape impact of this application, each of these five elements of the landscape must be explored in relation to the site and surroundings.

- 5.2.2 The Landscape and Visual Impact Assessment (LVIA) submitted in support of the planning application has analysed the landscape character of the proposed development site and its surroundings using current LANDMAP data. This proposal is located in a landscape identified through LANDMAP as being of overall high landscape sensitivity. This is based on the fact that the hill is a prominent local topographic feature and a valued part of the setting of Abergavenny. It is relatively close to the eastern boundaries of the BBNP (approx. 2km) and will be visible in wider areas.
- 5.2.3 Evidently there will be views of the mast from a number of roads in and around the town of Abergavenny. However, the LVIA states that most of these are not pristine views across unspoilt countryside. Rather, the views are frequently in the context of the prominent highway and powerline infrastructure as well as the urban edges of Abergavenny. Additionally, dense tree planting along the main road system mean that there are few longer sustained views towards the hill.
- 5.2.4 Consideration must also be given to the 'Seven Hills of Abergavenny', which form part of the identity of the area, and include two mountains – The Blorenge and The Sugar Loaf. The submitted LVIA accepts that there would be clear views of the mast from these areas of higher ground. However, it argues that these are wide, panoramic views where the mast is a relatively small incident in the landscape. Also the lightweight mast structure, both 12.2m and 30.5m heights, will frequently be seen with a land backdrop, further reducing its visibility.
- 5.2.5 In terms of Public Rights of Way (PROW) there is an extensive PROW network in the vicinity, including one which crosses the summit of Little Skirrid beside the site for the proposed mast. Visual effects on this path will be largely limited to sections near the summit – the woodland on the slopes restricts views out – and here effects are assessed as *moderate adverse* at all stages of the development. However, the LVIA does acknowledge that these effects are therefore significant.
- 5.2.6 The LVIA concludes that *'the landscape character of the area will not be significantly affected by the mast development...Although, for operational necessities, an elevated site, it is comparatively discreet, with existing woodland and local topography combining to reduce visibility.'*
The Council's Landscape Officer is of the view that the introduction of a strong vertical element into a distinctive and prominent landform will cause a significant change to the landscape. However, on balance it is considered that a Green Infrastructure (GI) Bond would help to satisfactorily reduce the adverse impact on landscape character. A sum of £7000 would help to improve the connectivity between other important GI Assets, by improving the quality of the PROW network. This will be the subject of a section 106 legal agreement. It is considered that this would have many benefits to the wider community and its end use supports other important Green Infrastructure benefits.
- 5.2.7 The scheme does offer a form of mitigation by proposing a phased approach, as detailed in paragraph 1.3 of this report. The growth of trees surrounding the proposed tower would provide an important degree of screening at both phases. It is presumed that the trees would be felled on a 25 year cycle, the tower would then be reduced to the 12.2m phase at this point. This process is to be controlled via an appropriately worded planning condition to ensure the full 30.5m is not in situ without the presence of the surrounding trees.

5.3 Residential Amenity

- 5.3.1 Telecommunication Towers do not create any discernible noise, nor do they produce traffic nor any further noise or disturbance once operational. The impact of this type of scheme on the amenity of local residents is therefore limited to visual impact. Residential properties within the vicinity of the site are considered amongst the most sensitive to visual impact.
- 5.3.2 Owing to the height of the proposed tower, at both phases, it will be visible to a number of properties in the surrounding area. The LVIA concludes that the visual effects on individual properties in the surrounding rural areas are assessed as a maximum of *minor adverse* for both mast heights and more generally as *negligible adverse*.
- 5.3.3 While four objections have been received from local residents, no correspondence received has referred to public health, which can be a material planning consideration. The Welsh Government set out in PPW that *'if the development meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines as expressed in the EU Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (as recommended by the report of the Independent Expert Group on Mobile Phones (the Stewart Report) on a precautionary basis), it should not be necessary for a local planning authority in processing an application for planning permission, to consider further the health aspects and concerns about them.'*
In this instance the applicant has provided a copy of the appropriate ICNIRP certification and therefore it is not considered that it would cause unacceptable harm to public health.
- 5.3.4 Therefore on balance it is considered that whilst the proposed development would be visible from a number of receptors in the vicinity, it would not cause such harm so as to warrant refusal. The development would not be contrary to Policy EP1 of the Monmouthshire LDP.

5.4 Access/Traffic

- 5.4.1 The construction of the proposed lattice tower would result in temporary generation of construction and staff related vehicle trips. However, construction traffic would be limited to a maximum of three vehicles over a period of only seven days. Long term, the site would be accessed up to twice a year for maintenance works and therefore it is not considered that it would adversely impact on local highway safety or local amenity by causing inconvenience to other regular road users.

5.5 Response to the Representations of the Third Parties

- 5.5.1 Concerns raised through the consultation exercise relating to siting and visual impact have been addressed in the preceding sections of this report.
- 5.5.2 Other points raised relate to the lack of information with regards to the justification for site selection, as advised in national planning policy (specifically TAN19). Whilst the information provided is limited, as detailed in paragraph 5.1.3 the applicant has provided information relating to three other sites and provided reasons as to why they were not considered appropriate. On balance it is considered that the proposal has met the requirements of TAN19.

5.5.3 Disappointment has also been raised at the lack of pre-application discussions with local interest groups. However, any community work and engagement at a pre-application stage is currently at the discretion of the applicant. There is no statutory requirement for the applicant to engage in such, although it is acknowledged that local interaction at any early stage should be encouraged.

6.0 RECOMMENDATION: APPROVE subject to a section 106 to secure a Green Infrastructure Bond

Conditions:

1	This development shall be begun within 5 years from the date of this permission.
2	The development shall be carried out in accordance with the list of approved plans set out in the table below.
3	The tower hereby approved shall be painted the colour RAL 7047, the fencing shall be 385 v-pressed mesh fencing coloured RAL6005 and shall remain as such in perpetuity.
4	Within 3 months of the cessation of tower being used for the purposes hereby approved, all associated works/equipment shall be removed from the site and the land restored to its previous condition in accordance with a restoration plan to be submitted to and approved in writing by the Local Planning Authority before such restoration works are carried out.
5	The tower hereby approved will be constructed to a height of 12.2m initially; it shall be increased to the maximum height of 30.5m no sooner than 7 years following the date of the original installation. The tower shall be reduced to 12.2m in height 25 years following the original installation or within 3 months of the surrounding trees being felled, whichever is the sooner. This sequence shall be repeated until the cessation of the use of the tower for the purposes hereby approved.