

Date of Meeting	15 th February 2017
Application Number	16/09353/FUL
Site Address	London Road Streetworks, London Road, Box, Corsham SN13 8LU
Proposal	Proposed 4G equipment installation
Applicant	EE Ltd and Hutchinson 3G UK Ltd
Town/Parish Council	Box Parish
Ward	Box and Colerne
Grid Ref	
Type of application	Full Planning
Case Officer	Charmian Burkey

Reason for the application being considered by Committee

The application has been called into committee by the Cllr Sheila Parker, in order to consider the visual impact; Impact on neighbouring properties; design and car parking.

1. Purpose of Report

To consider the above application and to recommend that planning permission is GRANTED.

2. Main Issues

The main issues are:

- Principle of development
- Impact upon the listed building and its setting.
- Impact on AONB and Green Belt
- Impact on the character and appearance of the surrounding conservation area.
- Impact on highways and pedestrian safety.
- Impact on living conditions.

3. Site Description

The application has been amended since original submission so that rather than being built on part of the layby it will be built just to the south on the pavement. The pavement is widest at this point.

Just to the south is the bridge for the A4 which is Grade II listed and the nearby Box Tunnel is Grade II * listed.

The application site lies within the Bath Green Belt and Cotswolds AONB, but falls within the built up area of Box with development of varying forms in the vicinity. There is mast in the woods above Box Tunnel, which has been there since the 1970s.

4. Relevant Planning History

N/11/03984/FUL & N/12/02928/LBC – 8m high telecommunications mast with equipment cabinet - permission.

5. The Proposal

The proposal seeks planning permission for a 12m high telegraph pole style mast on the pavement just to the north of the Grade II listed bridge. The proposal also includes 4 cabinets 2 of approx 1.5m in height and 2 of approx 0.9m . The proposal has been moved from the layby south to just on the footpath at its widest part. It will be approx 6m from an approx 7.7m high telegraph pole and lighting column, with the cabinet in between.

6. Planning Policy

Wiltshire Core Strategy:

CP51 Landscape

CP57 Ensuring High Quality Design and Place Shaping

CP58 Ensuring the Conservation of the Historic Environment

National Planning Policy Framework (NPPF):

Achieving sustainable development – Core Planning Principles

Chapter 7 Requiring Good Design

Chapter 9 Green Belts

Chapter 11 Conserving and enhancing the natural environment

Chapter 12 Conserving and enhancing the historic environment

7. Consultations

Box Parish Council Strong objections, stating that this would impact on the adjacent listed A4 railway bridge. They query the land ownership.

Highways objected to the proposal when it was in the layby, but now the scheme has been shifted toward the bridge and will now involve the building up of the kerb for the first four metres of the public highway. This amended plan allows for the continued parking of cars toward the junction with The Wharf and protects the equipment by inclusion of kerbs. Therefore, no highway objection can be raised to the proposal as outside of the construction phase the impact on the public highway cannot be seen as severe.

Heritage England has not yet replied.

Conservation Officer commented on the original application as follows: *The proposals are to install a 12m high telegraph pole with antennae at the top and a dish towards the top of the pole, on the grade II list London Road bridge on the edge of Box opposite the Grade II* listed Box Tunnel west portal. In addition to this pole, four cabinets and eight concrete bollards will be installed. The pole and cabinets require a 'new root foundation' but no details of this have been supplied. The site is in an AONB, outside but close to the conservation area.*

The location where this equipment is to be installed is on the main road leading down from Corsham to Box. There is an existing 8m high telegraph pole and a 9m lamppost situated adjacent to the proposed site and these structures interfere with the view when approaching Box and the conservation area at its core. The height of the new pole and cumulative impact of this additional equipment would add considerably to the harm already caused by visual clutter of the existing equipment. The 12m pole will be visible from further away, particularly because of the bulk added by the dish which is at about 9.5m high. The cabinets and bollards will bring the visual splay of the road in by nearly 2m, further detracting from the setting of the heritage assets and Box itself.

The root foundations have not been detailed but it is suspected that the clue is in the name. As these structures are to be installed on a grade II listed bridge we would expect to see detailed sections of the proposed root foundation and investigations carried out prior to any permission being granted to demonstrate that the foundations will not impact on any historic material. This does not appear to have been done.

Whilst I understand that this equipment may provide a better mobile network and therefore be a public benefit, I feel that the scale, design and quantity of structures proposed, the cumulative impact and the lack of information as to how this will be installed, is harmful to the character of the area and setting of heritage assets. The works would be contrary to section 66(1) of the Planning (Listed Building and Conservation Area) Act 1990, paragraphs 131, 132 and 134 of the NPPF, the BS7913, Historic England's Planning Practice Advice notes 2 & 3, as well CP 57 & 58 of the Wiltshire Core Strategy. I cannot support this application.

The agent has now amended the plans to show the dish removed as they are now using fibre to backhaul the signal. The Conservation officer removes her objection and considers the public benefit outweighs the harm to the heritage assets.

8. Publicity

The application was advertised by way of a site notice and neighbour notification.

59 letters of objection received raising the following together with a petition of 71 signatures:

- Safety for pedestrians.
- Impact on listed buildings, heritage assets and their setting.
- Obtrusive in street scene and impact on conservation area and AONB.
- Impact on Health as there is insufficient research.
- The alternative is a cable into Box Tunnel.
- The proposal is for commuters not village inhabitants.
- Impact on viewing platform for Box Tunnel.
- Street clutter.

9. Planning Considerations

The need for any development is not a material planning consideration. However the applicant has confirmed that this is a joint project between EE and the Home Office to provide essential coverage through Box Tunnel for emergency cover in particular. There are

no available masts in this area that could be shared to achieve the required coverage. Suggestions about using cables to achieve the coverage have been refuted on the basis that Network Rail need to give their consent and this is not forthcoming.

Paragraph 132 of the NPPF states that when considering the impact of the proposed development on the significance of a heritage asset, great weight should be given to its conservation. The more important the asset the greater the weight shall be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Under paragraphs 133 & 134 any harm to the significance of a heritage asset needs to be outweighed by the public benefits.

Impact on the character and appearance of conservation area and effect on Listed Buildings

Development within the conservation area should protect, conserve and where possible, enhance the historic environment. The Box Conservation Area is a Heritage Asset and the mast will affect its character. The comments of the Conservation Officer are awaited. This part of the Conservation Area is more modern in character than the heart of the conservation area which contains more listed and traditional buildings, but immediately adjacent to the site is the Grade II listed bridge. The Conservation officer has stated that the development will be harmful to the heritage assets in the locality and affect their setting. However, it is not true that the mast will be on the grade II listed bridge, as the position on the bridge was why the previous consents 11/03983/FUL and 12/02981/LBC were not implemented. The degree of harm has not been stipulated, but it has not been raised as substantial and therefore, whilst considerable weight is given to that harm, the balancing act set out in para 134 of the NPPF can be undertaken

The main purpose of the mast is to provide essential emergency cover in Box Tunnel, where currently there is no coverage. This cannot be provided in any other way. There is therefore considerable public benefit in allowing this application. Permission has been granted in 2012 for a smaller (8m) mast within metres of this site, but that was actually on the Grade II listed bridge and arguably more in the sight line from the Grade II* Listed Tunnel mouth. Although this proposed mast is higher at 12m, it is off the bridge and set in the context of other street furniture of 8-9m high telegraph poles and street lights. Overall, it is considered that the public benefit does outweigh the harm and this a view that is supported by the conservation officer.

Impact on highway safety and parking

Now that the mast has been moved away from the lay-by so that any parking and pedestrian access is not compromised. Highways have removed their original objections.

Impact on AONB and Green Belt

The site is located within the AONB and Green Belt and is sited on a relatively open area of road on the A4 near the junction with the Wharf. There are trees and vegetation in the vicinity mainly on the south side of the road with some along the cutting towards the listed tunnel to the north.

Advice in section 9 of the NPPF seeks to maintain the openness of the Green Belt. Policy CP51 and guidance contained in section 11 of the NPPF refers to the need to protect the character and quality of the landscape. The mast would not affect the openness of the Green Belt. However, although it would be seen from the wider landscape context, it must be noted that this is against a backdrop of residential development and also nearby telegraph and lighting poles of approx 8m and 9m respectively. The cabinets could be coloured to fit in with

their environment to minimise their impact, but in any case at such low heights are not considered to be intrusive.

So, whilst it is acknowledged that the AONB and Green Belt designations make this a sensitive location, it is clear that the existing street furniture is already a characteristic of this area. When viewed on the ground walking across the bridge and looking to the Tunnel to the north, the mast will not be in view and if a view away from the Tunnel is taken towards Box Wharf a modern 3 storey development is seen with a terrace of elevated houses.

Overall it is considered that in landscape terms the mast is acceptable and in accordance with Policy CP51 and guidance in Section 7, 9, 11 and 12 of the NPPF.

Other Matters

Health matters surrounding masts are still a concern in the wider public, but this is not a planning matter.

Conclusion

The proposal is considered to be compliant with policies CP51, CP57 and CP58 of the Wiltshire Core Strategy and guidance in the NPPF particularly paras 132 and 134.

10. Recommendation

The recommendation is for permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 Notwithstanding the details submitted, prior to the commencement of the development/works, details of the colour and finish of the mast and associated equipment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details and maintained thereafter.

REASON: In the interests of the character and appearance of the area and the adjacent Listed Building.

- 3 The mast and all equipment shall be removed from the site within 3 months of it ceasing to be required for telecommunications purposes.

REASON: In the interests of visual amenity and the adjacent Listed Building

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans: 75436/1451357-04; 01; 02; 03;05; 06; 07; 08; 09 received 8th December 216.

REASON: For the avoidance of doubt and in the interests of proper planning

- 4 INFORMATIVE TO APPLICANT:
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
- 5 INFORMATIVE TO APPLICANT:
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 6 INFORMATIVE TO APPLICANT:
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.