

## NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION

23<sup>rd</sup> May 2017

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

### **ITEM 7a) 16/069353/FUL LONDON ROAD STREETWORKS LONDON ROAD CORSHAM**

#### **Late Representation**

4 Letters have been forwarded to Members some of which were copied to Officers. The following points and queries are raised:-

1. Evidence of correspondence from Network Rail re: use of their facilities for emergency services is required.
2. Why does Wiltshire Council not require disguised design for masts in sensitive locations such as this – AONB/Heritage Asset constraints identified?
3. Will Permitted Development Rights be removed?
4. The report asserts that the site is not directly overlooked from neighbouring properties – this is incorrect (neighbour photos added to presentation).
5. The report asserts that heritage assets are unaffected which is incorrect and reference is made to the Box Tunnel.

#### **Officer Response**

1. The report makes clear that the emergency services do not use the Network Rail communications network. It is not considered necessary or reasonable to require proof of this position with correspondence from the emergency services and / or network rail. The additional coverage in this respect is a benefit of the proposal and it is considered that such coverage is important in the event of an accident, relying on a system that may not be available for use could lead to serious public harm and is a risk that should not be taken given the assessed impacts of the development proposal. In addition and as is set out in the report the additional coverage provides service to customers in the immediate locality and other users of the train for business purposes, emergency services cover is not the only benefit and purpose of the additional coverage. It is also well established through the determination of previous applications that Network Rail does not make its infrastructure and landholdings available to developers.

2. Proposed condition 2 requires the submission of details for approval of the colour and finish of the mast and associated equipment in order to ensure an appropriate design character for this locality. This is considered sufficient to address concerns in this respect. It is important to note the existing site characteristics as set out in the report including existing street furniture and paraphernalia which forms part of the context for the development. Disguising of masts for example as trees generally takes place in locations that feature existing trees and/or in the open countryside as opposed to this type of on highway location. Disguised masts when viewed up close in this type of on highway context would be visually prominent and not blend well into the site context.

3. Given the constraints in this location including heritage assets and AONB designations it is considered necessary to remove PD rights. The following additional condition is proposed in this respect:-

**Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Schedule 2, Part 16, Class A shall take place on the Telecommunications Mast and associated Apparatus hereby permitted.**

**REASON: In the interests of the amenity of the area, the setting of designated nearby heritage assets and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.**

4. The fact that a development proposal (any development proposal) may be visible from any vantage point – private or public – is not in and of itself confirmation that harm to interests of acknowledged importance would be caused such that consent ought to be refused. The majority of new development is visible from the private and public realm – if all development was refused on such a basis/impact no development at all would take place. Officers do not consider that the scale and location of the mast would result in significant harm to existing residential amenities through overbearing impact or significant harm to the character and appearance of the locality such that consent ought to be refused on this basis.

5. The officer report before committee does not assert that there will be no impact or affect on designated heritage assets. On pages 13 & 14 it is identified that the development will result in “less than substantial harm” to designated heritage assets. The position is further addressed in the original report to committee reproduced at Appendix 1 pages and 22, 23 & 24 address this matter and again identify harm will be caused. The harm identified is considered to be less than substantial and outweighed by the benefits of development.

## **ITEM 7E) 16/08756/FUL SPRINGFIELD FARM KINGTON LANE STANTON ST QUINTON**

### **Late representations**

Head of Development Management – Received are comments from the applicant’s agent in respect of concerns raised by local residents over the content of the submitted noise assessment. Repeated verbatim below:

*Thanks for sending through Mr Barnes comments which I do welcome and which I have endeavoured to respond to in the order that they were made.*

*1.5 The report states that the current operators have 24 hour unrestricted access. This is our understanding of their permissions. It does not mean that they currently operate traffic for 24 hours but they could do so if the business was operated differently without any breach of planning control.*

*1.8 We do understand that Mr Barnes concerns will be with the impact of night-time work. The report therefore does aim to cover both the day and night time operations in accordance with the standard BS4142:2014 and WHO guidelines.*

*1.9 In order to assess the activity on site we have considered representative operations based on actual logged event records at the existing sites in Chippenham. These are based on daytime and night time activities. Prior to carrying out our assessment we discussed with CD Fencing their expecting traffic volumes for the new site and that is what our study is based on.*

## **Noise Comments**

1. *The WHO Recommendation of 60dBA is for LAMax external maximum noise levels at night which are sudden bangs or clangs etc (ref 2.4)  
The external night noise target level of 40dBA is an daytime average noise level (ref 2.2)*
2. *Mr Barnes is correct that what annoys people at night is the sudden bangs that might wake them up. We are however limited by the standards that we work to in how we address the noise in this case BS4142:2014, BS8233:2014 and WHO.*
3. *The background noise level in the graph on page 59 does vary over the 24 hour period. However we are required by BS4142:2014 to consider a representative level based on the statistical 'modal value' of the background noise which in this case was 47 (ref the graph on page 62). We are not permitted by the standard to use the minimum value for the background noise.*
4. *Again, the standard BS4142:2014 does not actually permit us to use the minimum background noise level.*
5. *The background noise levels taken are for the assessment of noise levels in the vicinity of the site only. The assessment of vehicles passing through the village is not covered by BS4142:2014. This is dealt with separately in Appendix B.*
6. *As stated above, the standard BS4142:2014 does not actually permit us to use the minimum background noise level.*
7. *According to BS4142:2014, we are required to only assess the daytime specific noise level of the site over a 1hour time frame. The noise is clearly not smooth but impulsive in character. We have therefore added a further 6dB acoustic feature correction due to the use of reversing beacons (ref 4.26). It would certainly be inappropriate not to include this feature correction.*
8. *The noise level values are on the contours themselves on the noise maps. Retrospectively I am afraid they are quite small and probably hard to read if the report is printed out. Our apologies for this and we'd be happy to provide a key to the colours if it would help.*
9. *It is important in interpreting graph A2 to realise that these were pass-by levels on site measured close to the path of the vehicles themselves. These were used to accurately calibrate the noise model and would not be representative of the transmitted noise level at the residents house which would be considerably lower.*
10. *What is measured in the graph on page 66 and is then enlarged in the Appendix on page 69 is the peak pass-by noise levels of the vehicles on the main road. No comparison to the background is being made at this point. We are essentially wanting to compare the noise of the passing lorries with other vehicles on the same route at the same time. In this instance we are assessing the levels against the WHO guidelines and not the industrial standard BS4142:2014.*

*I am sorry for the technical nature of my responses to Mr Barnes' comments, however he does raise points that require a technical answer. I also appreciate the level to which he has gone to consider our report and we can only say that we have sought to implement the relevant standards as correctly as we can in the context of the site operations.*