



Appeal Decision

Site visit made on 10 August 2011

by Sue Glover BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 September 2011

Appeal Ref: APP/Q1825/A/11/2153889

Highway Verge, Claybrook Drive, Redditch, Worcestershire B98 0FH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Vodafone (UK) Ltd and Telefonica O2 (UK) Ltd against the decision of Redditch Borough Council.
 - The application, Ref 2011/030/GDO and undated, was refused by notice dated 31 March 2011.
 - The development proposed is a 15 metre monopole, equipment cabinet and ancillary apparatus.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), in respect of development by a telecommunications code system operator for the siting and appearance of the installation of a 15 metre monopole, equipment cabinets and ancillary apparatus at the Highway Verge, Claybrook Drive, Redditch, Worcestershire B98 0FH in accordance with the terms of the application Ref 2011/030/GDO, undated, and drawing nos. 200, 300, 400 and 500 submitted with it.

Procedural Matters

2. The appellant has confirmed that the siting and details of the proposed monopole, cabinets and apparatus are as shown on drawing nos. 200 and 300. I am informed that the indicative location on drawing no. 100, which differs from the proposed site plan (drawing no. 200), is intended to provide directions to the site. The position shown on drawing no. 200 is within the grass verge of the highway and opposite lamp post 6673, no. 23 Atherstone Close, and nos. 13 and 14 Ansley Close. This description is in accordance with the Council's Statement that describes the site within a wide grass highway verge, as opposed to the indicative location which is within a belt of trees.
 3. Notwithstanding any confusion that may have arisen during the course of the application to the Council, my decision is therefore based on the location shown on the proposed site plan (drawing no. 200) rather than the indicative site location maps (drawing no. 100).
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Main Issues

4. The main issues are the effect of the proposal on the outlook of nearby residents and any risk to health and wellbeing.

Reasons

5. The proposed monopole, cabinet and apparatus would be positioned within a wide grass verge adjoining Claybrook Drive, some 9m from the edge of the carriageway. The site lies within a spacious and verdant highway corridor, with agricultural land on one side of the highway and residential set back on the opposite side. There are extensive trees as a backdrop on both sides, although there is a more significant gap in the tree screen on the verge near no. 23 Atherstone Close and close to the end of that cul de sac.
6. The proposed 15m high monopole would be substantially higher than any nearby buildings, trees and lamp posts. I am informed that the proposed height of the monopole is the minimum necessary to clear buildings and trees to provide the required coverage across the target area. It would appear as a slim line structure with the antennae concealed within a cylindrical shroud integral to the upper part. It would have a simple, unfussy appearance and be coloured green to blend in with the surroundings.
7. There would be limited views of the monopole from across the street from nearby dwellings and gardens, although I am mindful that the tree cover would be less in the winter months. However, with its simple linear design and an appropriate colour, I do not consider that the proposed column would appear unduly obtrusive or overbearing from nearby dwellings given the separation distance and, for the most part, ample screening. The proposed equipment cabinet and ancillary apparatus would be viewed against the backdrop of the trees. They would appear small in scale and if coloured green as proposed would not appear obtrusive.
8. The proposed column would provide facilities for 2 telecommunications providers, for whom there is an identified shortage of 3G coverage in the area. This is indicated in the coverage plots submitted as part of the application to the Council. The sharing of facilities on a single column reduces the proliferation of masts and is regarded as good practice. The Council has not disputed the technical need.
9. Details are provided of alternative sites that were considered and the reasons why these were rejected. The area of search is predominantly residential and rural in character. The proposed site is as far south as possible to provide the required coverage. I am informed that alternative sites further to the north would be more directly overlooked by residential properties than at the appeal site. The Council considered that it may be possible to relocate the proposed development further from residential properties and still achieve the required coverage. However, there is no evidence that the appellant's search is unsatisfactory and no specific alternatives have been suggested by the Council. The commercial area lies further to the south beyond the area of search.

10. Given the position, scale and design of the proposal, screening, and the separation distance from nearby residential properties, I conclude that there would be no material harm to the outlook of nearby residents. The proposal does not conflict with Policy B(BE).13 of the *Borough of Redditch Local Plan No. 3* or to national guidance in *Planning Policy Guidance Note 8, Telecommunications* (PPG8) in this respect.
11. The views of local residents and other interested parties have been taken into account in reaching this decision. The proposal is in full compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines. PPG8 advises that if a proposed mobile phone base meets the ICNIRP guidelines it should not be necessary for a planning authority to consider further the health aspects of the proposal. Nevertheless, concerns have been raised on the grounds of the health and wellbeing of local residents and school pupils and I accept that their fears are relevant to my decision. On balance, however, and bearing in mind that there is little objective evidence to support local fears and that the emissions from the mast would be well within ICNIRP guidelines, I do not consider that concerns about health and wellbeing are sufficient to justify withholding approval. I have taken into account all other matters raised, but I find none that justify the dismissal of this appeal.

Sue Glover

INSPECTOR