

PLANNING APPLICATION NUMBER: P14/1665

Type of approval sought	Full Planning Permission
Ward	Hayley Green & Cradley South
Applicant	Mr Kenneth Woolley
Location:	11, TREE ACRE GROVE, CRADLEY, HALESOWEN, B63 2EY
Proposal	ERECTION OF A STEEL MAST AND RADIO ANTENNAS (RETROSPECTIVE)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site consists of an immediately post war end terrace house within an area of immediately post war dwellings. To rear of the house is the main garden area to the house.
2. To the rear of the site are the gardens to the houses to Hedgefield Grove which are set below the application site.

PROPOSAL

3. This is a retrospective planning application for the erection of 9m high amateur radio mast and with an inverted umbrella style antenna which is attached to the top of the mast. The overall height is similar to that of the adjoining house.
4. The mast is of a slim lined design and is of collapsible/retractable design which means it can be laid horizontally reducing the height to not much more than 2m when not in use. A photograph has been submitted with the application to show this.
5. The mast in the rear garden is approximately 3m away from the house.

6. The mast and associated antenna is used by one of the residents of the property to facilitate their amateur radio hobby.
7. The applicant has submitted a 12 name petition in support of the application.
8. Four letters of support were submitted with the application.

HISTORY

9. None.

PUBLIC CONSULTATION

10. Two letters of objection received, following consultation with 12 adjoining neighbours and the posting of a site notice and the publication of an advert. Main issues raised:

- Visual Impact
- Looks industrial and out of place in a residential area
- Will put persons off from buying house in the future
- Will devalue property value
- Impact to wildlife as attachments
- Creates noise

OTHER CONSULTATION

11. None

RELEVANT PLANNING POLICY

- National Planning Guidance
National Planning Policy Framework (2012)
Planning Practice Guidance (2014)

- Black Country Core Strategy (2011)
ENV 2 Historic Character and Local Distinctiveness
- Unitary Development Plan (2005) (Saved Policies)
DD1 Urban Design
DD4 Development in Residential Areas
- Supplementary Planning Guidance/Documents
PGN 13. Radio aerials and satellite antennae

ASSESSMENT

12. The main issues are:

- Policy
- Visual Impact and Neighbour Amenity

Policy

13. There are no specific policies within either the Black Country Core Strategy or the Dudley Unitary Development Plan which directly deal with amateur radio installations, however, Saved Policy DD4 – Development in Residential Areas is of relevance that requires development proposals to be in keep in with the surrounding area and not to have adverse impact to amenity.
14. Also of relevance to the application is Planning Guidance Note 13 – Radio Aerials and Satellite Antennae which should be treated as material consideration.
15. The Note states that application will as far as possible, be judged on the effect that an extended mast is likely to have on the visual amenities of neighbours in the area as it is reasonable to expect that the apparatus will be used frequently.
16. Appropriate choice of site is considered to be crucial. Equipment should not be obtrusive from the highway or areas of public open space and a position at the side or rear in preference to the front of the building is essential. Additionally the note a

states position close to the rear elevation of the building often minimises the impact on the surroundings.

17. The outlook from adjoining buildings, gardens and footpaths should be safeguarded by utilising existing natural screening. Conditions for natural plant screening will be attached where this is considered to be effective.
18. In certain circumstances the notes implies that a condition requiring the mast to be retracted (where possible) may be appropriate.
19. At a national level the former Planning Policy Guidance (PPG) Note 8 on Telecommunications at Para 80 states that a particularly sympathetic attitude towards the installation of masts for amateur radio operators. However, this has not been replicated by in the National Planning Policy Framework or the Planning Practice Guidance.

Visual Impact and Neighbour Amenity

20. As stated above this a retrospective planning application for the erection of an 9m high slim line metal mast and its associated antenna within the rear garden of 11 Tree Acre Grove. The mast which is set onto to concrete pad is designed to be retractable, so that it can be lowered into a horizontal alignment.
21. In terms of views from public areas these are generally limited by the existing dwelling and other dwellings in the surrounding area, although the antenna does slightly protrude above the roofline. However, general views for example can only be glimpsed through the narrow gaps between properties and many cases are read against the closely located house and trees which are within or adjoining the garden to the site.
22. Therefore, the public views of the mast when it is in the up position are relatively limited.

23. It is considered that mast when is it is in its up position can be seen from adjoining gardens and houses. However, the general siting is in accordance with the advice with Planning Guidance Note 13 in that is close to the house, rather than further down the garden, and there is some planting in the vicinity of the site which again softens the installation.
24. In terms of physical impact the slim line design means therefore would be no impact in terms of light or overbearing impact.
25. In weighing up the planning merits of the case it is considered that there are issues whilst there would be some visual impact to close adjoining neighbours, the mast has been well sited to reduce its impact by locating it close to the house. Moreover, the mast is slimmed line in its design, has the potential to be retracted when out of use and there is some planting within or close to the site which reduces impact. Therefore the installation is considered to be acceptable.

Other Matters

26. One of the neighbours has raised concerns regarding noise and the stability of the mast.
27. In terms of noise the applicant responds by stating the installation makes no noise. However, a condition can be imposed regarding noise as has been previously imposed on a similar installation elsewhere.
28. In terms of stability the applicant advises that the mast has been constructed in accordance with the manufacturer's specification and is set into a 2 tonne concrete base. Additionally it is understood that the mast is retractable which means it can be lowered in the case of bad weather.

CONCLUSION

29. The mast is not considered to cause any harm in terms of public views. However, there are some concerns regarding visual amenity of adjoining neighbours but on balance due to the slim line design, its proximity to the main house and the presence

of trees within the area the development is considered acceptable. Consideration has been given to Policy ENV 2 Historic Character and Local Distinctiveness of the Black Country Core Strategy and saved Policies DD1 Urban Design and DD4 Development in Residential Areas of the Dudley Unitary Development Plan.

RECOMMENDATION

It is recommended that the application be APPROVED subject to the following conditions:

Notes to Applicant/Informative

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

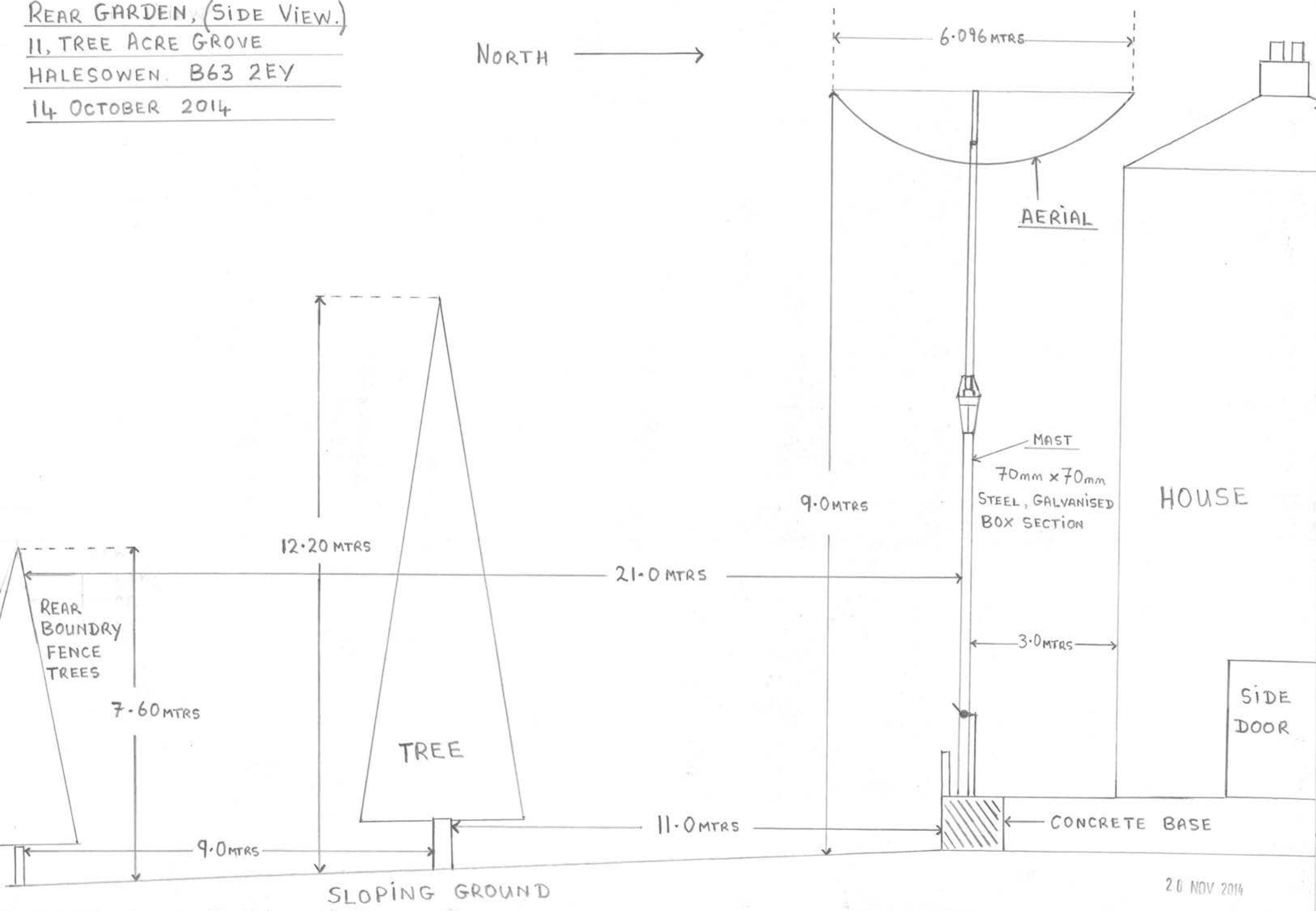
Conditions and/or reasons:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Unreferenced plans submitted with the application.
2. The rating level of noise emitted from any fixed plant and/or machinery associated with the development shall not exceed background noise levels by more than 5dB(A) between the hours of 0700-2300 (taken as a 60 minute LA90 at the nearest noise sensitive premises) and shall not exceed the background noise level between 2300-0700 (taken as a 5 minute LA90 at the nearest noise sensitive premises). All measurements shall be made in accordance with the methodology of BS 4142 (1997) (Method for rating industrial noise affecting mixed residential and industrial areas) and/or its subsequent amendments. Where access to the nearest noise sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest noise sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.



REAR GARDEN, (SIDE VIEW.)
11, TREE ACRE GROVE
HALESOWEN. B63 2EY
14 OCTOBER 2014

NORTH →



20 NOV 2014

REAR GARDEN, (AERIAL VIEW)

11, TREE ACRE GROVE

HALESOWEN. B63 2EY

14 OCTOBER 2014

