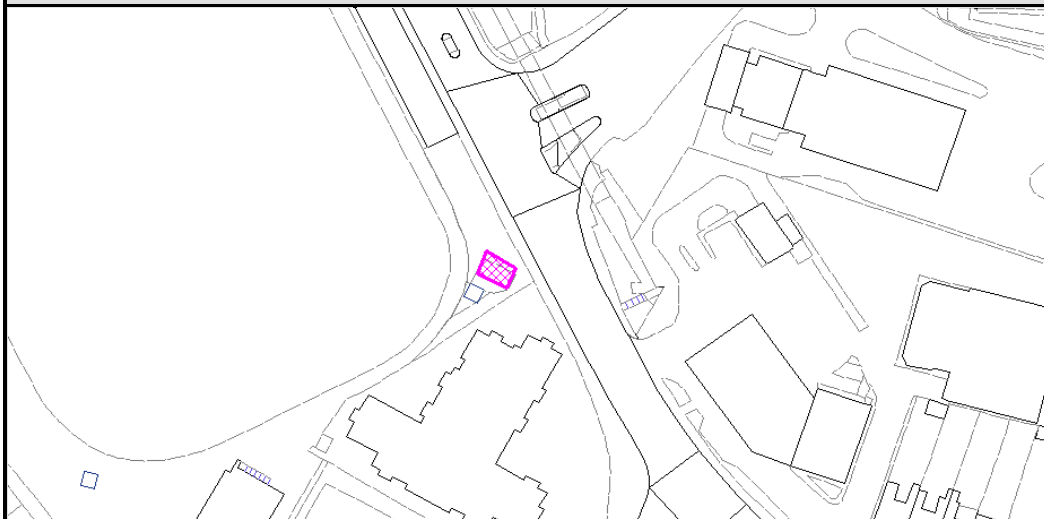


Committee Report – 14th April 2022

Application Number:	1/0036/2022/FUL
Registration date:	18 January 2022
Expiry date:	15 March 2022
Applicant:	EE Limited
Agent:	Harlequin Group
Case Officer:	Sarah Boyle
Site Address:	Bideford AFC (1987) Ltd, Robins Nest Clubhouse, The Sportsground, Kingsley Road, Bideford, Devon
Proposal:	Installation of 1 x 27.5-metre-high ground based Swann Engineering 1S lattice tower, 6 x multi-band sector antenna fixed to tower headframe, 2 x 0.6m DIA transmission dishes fixed to tower headframe, 1 x ICD Airo cabinet (2100x750x600), 1 x M35 Emerson cabinet (1600x1200x600), 1 x MK5B Link AC cabinet (1200x500x1700), 1 x ICD Furo cabinet (2100x750x600), 2.1m high chainlink fence around with 1m wide gate 7m x 6m compound, Existing Stadium Lighting to be mounted on bespoke steel frame (10 x luminaires, 5 x control units and 1 x electricity distribution panel), Other ancillary equipment and cabling.
Recommendation:	Grant



Reason for referral:

The application has been brought to Committee as the proposed scheme is sited on land which is owned by Torridge District Council.

Relevant History:

Application No.	Description	Status	Closed
1/0293/1977	ERECTION OF SOCIAL CLUB SPORTS GROUND KINGSLEY ROAD, BIDEFORD	PER	23.05.1977
1/0325/1978	ERECTION OF SOCIAL CLUB THE SPORTS GROUND, KINGSLEY ROAD, BIDEFORD	PER	20.06.1978
1/0666/1981	Extend Bideford Football Club Headquarters	PER	16.06.1981
1/0978/1981	USE OF LAND AS A GREYHOUND RACING TRACK, THE FOOTBALL GROUND, KINGSLEY RD, BIDEFORD	PER	17.09.1981
1/2504/2004/TEL	Installation of 3 no. antennas at a height of 25.5m, 1 no. 300mm transmission dish at a height of 20m and an equipment cabinet	NPW	06.12.2004

Site Description & Proposal

Site Description

The application site is located in the development boundary of Bideford which is designated as a Strategic Centre in the North Devon and Torridge Local Plan. The site is located in the south east corner of Bideford Football Club, where there is already a floodlight tower and associated infrastructure. It is surrounded by a mix of residential, commercial, and recreational facilities. It is accessed via an entrance to the south west which is both vehicular and pedestrian; then leads on to a classified highway. The land the proposal is to be situated on is owned by Torridge District Council.

Proposed Development

The application seeks planning permission for the following:

- Replacement of 1 x 27.5 metre high floodlight tower for a 1 x 27.5 metre high ground based Swann Engineering 1S lattice tower
- 6 x multi-band sector antenna fixed to tower headframe
- 2 x 0.6m DIA transmission dishes fixed to tower headframe
- 1 x ICD Airo cabinet (2100x750x600)
- 1 x M35 Emerson cabinet (1600x1200x600)
- 1 x MK5B Link AC cabinet (1200x500x1700)
- 1 x ICD Furo cabinet (2100x750x600)
- 2.1m high chainlink fence around with 1m wide gate 7m x 6m compound

- Existing Stadium Lighting to be mounted on bespoke steel frame (10 x luminaires, 5 x control units and 1x electricity distribution panel)
- Other ancillary equipment and cabling

Mast to be galvanised and cabinets to be light grey (RAL 7035).

Consultee representations:

Bideford Parish/Town Council:

RESOLVED: That the application is approved.

Conservation Officer:

No comments received

Environmental Protection Officer:

Second Response

Further to the comments provided in the consultation response dated 25 January with regards the above application, the Environmental Protection Team has reviewed the additional information provided by the applicant. Following review, the Environmental Protection Team is satisfied that any potential adverse health and amenity impacts previously raised are allayed. Subsequently, the Environmental Protection Team has no objections to the application.

First Response

In relation to the above application, there is the potential for adverse health and amenity effects arising from the proposed development.

The Health and Safety Statement indicates that the proposed development is designed to be in full compliance with the requirements of radio frequency exposure guidelines outlined in ICNIRP. This should negate any concerns with regards public health. However, given the close proximity of the residential site immediately to the south of the application site, it would be prudent to obtain confirmation that no long-term exposure will result in adverse health effects.

There appears to be no information provided on the potential noise impact associated with the cabinets or plant located at ground level. It would be useful to receive further information on any noise emissions in order to assess any potential impact on the adjacent residential site to the south of the application site.

Devon County Council (Highways):

No comments received

Representations:

Number of neighbours consulted:	52	Number of letters of support:	0
Number of representations received:	0	Number of neutral representations:	0
Number of objection letters:	0		

No representations received

Policy Context:

North Devon and Torridge Local Plan 2011-2031:

ST06 (Spatial Development Strategy for Northern Devon's Strategic and Main Centres); DM11A (Telecommunications); ST04 (Improving the Quality of Development); DM04 (Design Principles); DM01 (Amenity Considerations); DM08 (Biodiversity and Geodiversity); ST14 (Enhancing Environmental Assets); DM05 (Highways); DM06 (Parking Provision); ST03 (Adapting to Climate Change and Strengthening Resilience);

Government Guidance:

NPPF (National Planning Policy Framework); NPPG (National Planning Practice Guidance); NERC (Natural Environment & Rural Communities); WACA (Wildlife & Countryside Act 1981);

Planning Considerations

The main planning considerations for this application are:

1. Principle of Development
2. Impact on Character and Appearance
3. Impact on Neighbouring Amenity
4. Ecology
5. Highways
6. Critical Drainage Area
7. Conclusion

1. Principle of Development

The application site is located within the development boundary of Bideford which is designated as a strategic centre; therefore, Policy ST06 of the North Devon and Torridge Local Plan (NDTLP) must be applied. Policy ST06 states, sustainable development opportunities will be secured to increase self-containment and achieve balanced development to enable the town to meet its own needs and those of the surrounding area. The Bideford Spatial Strategy (BID) states that development will seek to maximise the positive benefits that it can achieve whilst respecting the sensitive landscape and environmental setting of the town, its heritage, community spirit and sense of place.

Alongside policy ST06, Policy DM11A: Telecommunications states:

Proposals for new or upgraded telecommunications equipment and installations will be permitted (where planning permission or 'prior approval' is required) where:

- (a) the telecommunications equipment and installation would not have a significant adverse effect on its landscape setting, landscape character, heritage and visual amenity by reason of its siting and design or as a result of cumulative impact with nearby development;
- (b) opportunities have been sought to share masts or sites with other providers and, where appropriate, the erection of antennae on existing buildings or other structures; and
- (c) the proposal conforms to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast/site.

The application is seeking permission to install a number of pieces of equipment to allow for investment in to high-quality, reliable digital connectivity so that all communities can benefit.

This development is considered to be appropriate for the site it will be located in and will enable a community an improvement to their telecommunications in terms of connectivity. Therefore, the proposal accords with Policy ST06 and Policy DM11A and is acceptable in principle, subject to other policy considerations.

2. Impact on Character and Appearance

Policies ST04 (improving the quality of development) and DM04 (design considerations) of the NDTLP, requires new developments to be of high quality design, including being well related to their surroundings, be of an appropriate scale, include quality materials, and to be sympathetic to the character and appearance of the local area.

The application is seeking permission to install a number of pieces of equipment to allow for investment in to high-quality, reliable digital connectivity so that all communities can benefit.

The following works are proposed:

- Replacement of 1 x 27.5 metre high floodlight tower for a 1 x 27.5 metre high ground based Swann Engineering 1S lattice tower
- 6 x multi-band sector antenna fixed to tower headframe
- 2 x 0.6m DIA transmission dishes fixed to tower headframe
- 1 x ICD Airo cabinet (2100x750x600)
- 1 x M35 Emerson cabinet (1600x1200x600)
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- 2.1m high chainlink fence around with 1m wide gate 7m x 6m compound
- Existing Stadium Lighting to be mounted on bespoke steel frame (10 x luminaires, 5 x control units and 1x electricity distribution panel)
- Other ancillary equipment and cabling

Mast to be galvanised and cabinets to be light grey (RAL 7035).

The proposed scheme will be situated on a parcel of land within Bideford Football Club, which is already the site of a floodlight tower. The proposal will be against an existing boundary wall and will be seen in the context of the current setting of the area.

Taking the above into account, the proposed scheme complies with policies ST04 and DM04 of the NDTLP.

3. Impact on Amenity

Policy DM01 of the North Devon and Torridge Local Plan relates to amenity considerations and notes, development will be supported where:

- a) It would not significantly harm the amenities of any neighbouring occupiers or uses; and
- b) The intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.

One of the core principles of the NPPF is to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings.

No representations have been received for the application. The site is surrounded by a mix of residential, commercial and recreational facilities. Considering the form of development proposed, it is considered that it would not significantly harm the amenities of any neighbouring occupiers or uses. Environmental Protection has been consulted on the application and had initial concerns with noise impact associated with the cabinets or plant located at ground level. Further information was submitted by the Agent which allayed their initial concerns. Subsequently, the Environmental Protection Team has no objections to the application. Therefore, the application complies with policy DM01 of the NDTLP.

4. Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced within the NDTLP through Policies DM08 and ST14 which state that development proposals should conserve and, where possible, enhance biodiversity interests.

The application was accompanied by a wildlife trigger list and after assessing the information it is considered that the proposal complies with Policies DM08 and ST14 of the NDTLP.

5. Highways

Paragraph 110 of the National Planning Policy Framework indicates that access should be safe and suitable for all users. Paragraph 111 proceeds to advise that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. In addition, Paragraph 112 notes that development should minimise the scope for conflict between pedestrians, cyclists and vehicles, respond to local character and design standards, allow for the efficient delivery of goods, and access by service and emergency vehicles.

Policy DM05 of the NDTLP relates to highways, and notes:

(1) All development must ensure safe and designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highways users including cyclists and pedestrians.

(2) All development shall protect and enhance existing public rights of way, footpaths, cycle ways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.

In addition, policy DM06 of the NDTLP relates to parking provision, and notes that developments will be expected to provide adequate parking depending on the needs of the scheme.

There are no alterations proposed to the existing access on site for the proposed development. In light of the above it is considered that the development accords with policies DM05 and DM06 of the NDTLP.

6. Critical Drainage Area

Policy ST03: Adapting to Climate Change and Strengthening Resilience requires that development adopts effective water management and sustainable drainage systems.

Consideration has been given to the fact that the site is located within an extensive area of low-lying land that lies in Flood Zone 3a and is part of the Bideford CDA. However due to the level of development and the existing precautions on site it is considered that the proposal will not have consequences in terms of loss of flood area or increase the risk of flooding to other areas. After assessing the plans and information submitted it is considered that the size and form of development would not result in a significant risk to flooding within the Critical Drainage Area of Bideford.

7. Conclusion

The proposed development is considered to result in an acceptable impact on the character and appearance of the surrounding area and would not result in a harmful impact on the amenities of neighbouring occupiers. In addition, the development would not result in a harmful impact on protected species. Considering the above, the application complies with the policies outlined in the North Devon and Torridge Local Plan.

Human rights

Consideration has been given to the Human Rights Act 1998.

Conclusion

It is therefore considered that subject to the compliance with the attached conditions and taking into account all other material planning considerations, including the development plan the proposal would be acceptable.

Recommendation

GRANT subject to the following conditions

- 1 The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the time requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

Reason: To ensure the development is carried out in accordance with the approved plans.

Plans Schedule

Reference	Received
002 Site Location Plan	12.01.2022
150 Proposed Site Plan	12.01.2022
250 Proposed Site Elevation A	12.01.2022

Statement of Engagement

The National Planning Policy Framework (paragraphs 38) requires local planning authorities to work positively and proactively with applicants to achieve sustainable development. Throughout the application process guidance has been given to the applicants and all outstanding issues have been identified.

In this instance the Council required clarification on a couple of points following the consultation process. These were clarified by the Agent and submitted for further consideration.

The Council has therefore demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.