APPLICATION NO:
TL/2000/2981

LOCATION:
Land Rear Of Taylor Freezer(uk) Plc Old Bath Road, Charvil Reading.

APPLICANT:
BT Cellnet C/O A P T

PROPOSAL:
Proposed erection of 12.5 metre high mast with 3 dual polar antennas and one radio equipment housing.

EARLIEST DATE FOR DECISION: **07/01/2001**

APPLICATION WILL HAVE EXPIRED ON:
25/01/2001

CASE OFFICER: **Joss Miller**

RAILEX
Marbleboard

EASIFILE EP7

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

REFUSAL OF PRIOR APPROVAL OF TELECOMMUNICATIONS NOTIFICATION

Mr R Price
APT
Dolphin House
Albany Park
Camberley
Surrey
GU16 7QH

Notification No: TL/2000/2981

Parish: Charvil

Proposal: Proposed erection of 12.5 metre high mast with three dual polar antennas and one radio equipment housing.

Location: Land rear of Taylor Freezer (UK) Plc, Old Bath Road, Charvil.

The Wokingham District Council in pursuance of their powers under Part 24 of the Town and Country (General Permitted Development) (Amendment) Order 1998 **REFUSES** prior approval for the above stated telecommunications equipment, the reasons for which are specified hereunder.

1. The proposal is unacceptable in view of its proximity to places of work.

Date: 22 January 2001

Development Control Manager

Appeal Decision

Site visit made on 29 October 2001

by G R HOLLAND OBE BArch MCD MRTPI

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

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date
06 NOV 2001

Appeal Ref: APP/X0360/A/01/1069484
land at the rear of Total Tyres Ltd, Denmark House, Old Bath Road, Charvil

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of prior approval for details of the siting and appearance of a telecommunications development permitted by Development Order [Part 24] Schedule to the GDO.
- The appeal is made by Telcom Securicor Cellular Radio Ltd against the decision of Wokingham District Council.
- The application (Ref.TL/2000/2981), dated 15 December 2000, was refused by notice dated 22 January 2001.
- The development proposed is a 12.5m mast with 3 dual polar antennae, one radio equipment housing and development ancillary thereto.

Summary of Decision: The appeal is allowed and prior approval is granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. On the site it was apparent that the rear part of the appeal site, around the proposed location for the mast, had recently been cleared and gravelled, to provide a base and parking for a number of goods vehicles. I understand that an operator's license for this use has been issued.

Main Issues

2. From the written representations and my inspection of the site and its surroundings, I consider that there are two main issues in this appeal. The first is the visual impact of the proposed mast on its surroundings, whilst the second is whether it should be permitted in view of its proximity to places of work.

Planning Policy

3. The development plan in this appeal comprises the 1995 Berkshire Structure Plan [BSP] and the 1995 Loddon Area Local Plan [LALP]. BSP Policies TC1 (Assessment of proposals for telecommunications development) and C6 (Green wedges and gaps) were drawn to my attention. The LALP does not contain policies relating to telecommunications development, but Policy LC1 (Separation of settlements) was considered relevant.

4. The 1997 Wokingham District Local Plan [WDLP] is at Deposit Draft stage, the local public inquiry having been held with the inspector's report expected in late 2001. I have attached such weight as is appropriate to this plan, having regard to the advice in paragraph 48 of Planning Policy Guidance Note 1 [PPG1]. WDLP Policies WIC14 (Assessment of proposals for telecommunications development) and WCC2 (Green gaps and wedges outside the Metropolitan Green Belt) address the issues in this appeal.

Reasons

5. The mast and its compound would be located to the rear of a large modern warehouse building fronting on to the Old Bath Road between Charvil and Twyford. It is in a rural gap, between the two settlements, in an area of water meadows, with some dense areas of willows, poplars and conifers. The warehouse, used for the storage and distribution of tyres, forms part of an isolated group of large modern industrial buildings in the otherwise rural landscape. Adjoining the warehouse to the east are buildings used for car servicing and repairs, with extensive workshop space. The whole group is well screened from the east and west by dense trees and other foliage.

6. In relation to the first issue, it seems to me that the mast, would be very well screened by existing tall conifer and poplar trees and some evergreen hedges, except from the north, where the it and the compound would be visible between the warehouse and garage premises. Even here it would be seen within or against a background of tall conifers and other trees. Distant views of the mast would thus be very limited. I thus consider that the mast, although of the usual unprepossessing standard form, would not intrude on the wider rural setting to an unacceptable degree.

7. From the road the mast would be visible between the existing substantial industrial premises. The compound would also be seen through the security fencing to the goods vehicle parking area. I am, however, convinced that in this context the utilitarian equipment cabin and barbed wire fence to the compound would not appear out of place, provided that it was painted in some unobtrusive colour. This could be ensured by means of a condition.

8. I have therefore come to the conclusion that the proposed mast would not cause material harm to the character or appearance of the surrounding area.

9. Turning to the second issue, the Council took the view that it should have been possible to identify more suitable sites for the installation, further from places of work. The employees of the workshops adjoining the site had expressed concern as to the possible health hazards that might arise from radio emissions from the mast. No evidence was, however, submitted by the Council or the objectors as to the likelihood or intensity of such hazards.

10. From the evidence before me, including the technical and siting considerations and requirements for the mast, I am satisfied that a thorough search for a site within the Charvil area has been carried out and that the 6 other identified sites had been rejected for good reasons. A mast on the appeal site, as well as providing the necessary access facilities, would have a significantly less harmful visual impact compared with more open locations. The Council did not seek to identify any other possible sites that were regarded as more acceptable.

11. The front part of the tyre warehouse is occupied by Taylor Freezers Ltd as offices. These are over 60m from the site of the proposed mast, but workers in the adjoining garage workshops would, however, be no more than 24m from the mast and compound.

12. The government has indicated in the very recent [August 2001] PPG8 'Telecommunications' that although health considerations and public concern can in principle be material considerations in determining applications for prior approvals, the

planning system is not the place for determining health safeguards. It is central government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base meets the ICNIRB guidelines for public exposure, it should not be necessary to further consider the health aspects and concerns about them.

13. Evidence was submitted that indicated that the emissions at the proposed mast would be less than 0.005% of the ICNIRP public exposure guidelines, as measured at the nearest buildings. This has not been disputed by the Council. I am therefore persuaded that on the basis of present best practice there is no reason to suppose that the mast would create a significant health hazard if it were to be allowed. I note that the Council's own Environmental Health officers, having evaluated the proposals, made no objection to the grant of consent.

14. Genuinely held public fears, whether or not they are groundless, have been accepted by the courts as being a material planning consideration. In this case, however, it seems to me important to accord weight to the extremely low levels of the likely emissions when compared with the accepted guidelines, together with the fact that the affected buildings are not dwellings, community buildings or a school. Nor are they intensively occupied throughout the day and night. In these circumstances I am not convinced that the level of risk, even allowing for any uncertainty that remains, is such as to require the strict application of the precautionary principle, justifying a refusal of prior approval.

15. The Council considered that the proposals were in conflict with BSP Policy TC1 and WIC14 of the draft WDLP. Neither of these policies refers to the consideration of health hazards or to the importance to be accorded to public fears. In relation to TC1(i), I am satisfied that the proposal would not result in a significant adverse visual impact. I also consider that the evidence before me indicates that the search carried out by the applicants revealed no satisfactory alternative sites or acceptable ways of providing the degree of area radio cover required. Thus in my opinion, criteria (ii), (iii) and (iv) of Policy TC1 are also met. For the same reasons it seems to me that conflict would not arise with Policy WIC14. Whilst this policy states that on sites within 200m of any building regularly used by people the Council will exercise its option to require prior approval, it does not set specific criteria for the assessment of proposals. In my opinion therefore the proposed development would comply with all the relevant development plan policies and prior approval should not be withheld.

Conditions

16. The Council did not suggest any conditions that should be imposed on the approval, were the appeal to succeed. In view of the utilitarian design of the compound, equipment cabin and barbed perimeter wire fence, I am convinced that some modest planting around it would be necessary to soften its visual impact. I am therefore imposing a condition requiring the prior submission and approval of a scheme of screen planting. It was proposed that the mast would be constructed of galvanised steel with a grey plastic coated finish for the cabin. In order to reduce the prominence and industrial appearance of these structures in views from the surrounding countryside, it seems to me that a condition is required to ensure that they are painted in some unobtrusive colour.

Conclusions

17. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

18. In exercise of the powers transferred to me, I allow the appeal and grant prior approval for details of the siting and appearance of a telecommunications development permitted by Development Order [Part 24] Schedule to the GDO on land at the rear of Total Tyres Ltd, Denmark House, Old Bath Road, Charvil in accordance with the terms of the application [Ref. TL/2000/2981), dated 15 December 2000, and the plans submitted therewith, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

    2) No development shall take place until details of landscape works to screen the compound have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

    3) The mast, equipment cabin and compound fence hereby approved shall be painted and permanently retained in an appropriate colour to be agreed in writing with the local planning authority before the erection of the mast.

Information

19. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

20. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

GR Hollis

INSPECTOR

DTLR
TRANSPORT
LOCAL GOVERNMENT
REGIONS

ALEX ROBERTS
OPERATOR LICENSING SECTION
WESTERN TRAFFIC AREA

DEPARTMENT FOR TRANSPORT,
LOCAL GOVERNMENT AND THE REGIONS
THE GAUNTS HOUSE
DENMARK STREET
BRISTOL
BS1 5DR

DIRECT LINE: 0117-975-5162
DIVISIONAL ENQUIRIES: 0117-975-5135
FAX: 0117-975-5055
GTN CODE: 1397
E-MAIL: alex.roberts@tan.gov.uk

WEB SITE: www.dtlr.gov.uk

OUR REF: OH0218646

1 OCTOBER 2001

Raymond David Ellis
t/a Pick-ups Film & T V Transport
69 Brunswick
Hanworth
Bracknell
Berks. RG12 7YY

Dear Sir

THE GOODS VEHICLES (LICENSING OF OPERATORS) ACT 1995
THE GOODS VEHICLES (LICENSING OF OPERATORS) REGULATIONS 1995

I refer to your application for a variation to a goods vehicle operator's licence.

Having taken into account all the information before him, the Traffic Commissioner is minded to grant this application with the following conditions to apply:

i. That authorised vehicles shall only enter or leave the operating centre at Denmark House, Old Bath Road, Twyford between 08.00 hours and 18.00 hours Monday to Sunday.
ii. That maintenance is only to be carried out at the operating centre at Denmark House, Old Bath Road, Twyford under the covered buildings between the hours of 09.00 hours to 17.00 hours Monday to Friday.

You are invited to make written representations as to any effect these conditions would have on your business, in accordance with Sections 21(3) and 23(4) of the Act within twenty-one (21) days of the date of this letter.

Yours faithfully

A Roberts

ALEX ROBERTS

INVESTOR IN PEOPLE

PICK-UPS

Film & TV Transport

69 Brunswick, Hanworth,
Bracknell, Berkshire, RG12 7YY.
Tel./fax no. (01344) 485977 Mobile: 07860 634759 Accounts: (01344) 452094
E-Mail: pick-upsfilmandtv@talk21.com

Department Of The Environment Transport And The Regions,
The Gaunts House,
Denmark Street,
Bristol,
BS1 5DR.

Tel: 0117 9755084
Fax: 0117 9755055

Ref: OH 218646

3rd August 2001

Dear Mr S. Fisher,

RE: Application for changes to Goods Vehicle Operators Licence - OH 218646

Thank you for your letter dated 1st Aug. '01. I understand that you have received a letter of objection as a result of the newspaper advertisement. A copy of this letter hasn't yet been sent to us.

Due to the nature of my business (Film & TV Transport) my vehicles rarely return to the yard every night, while working on a film production. It is more usual for them to remain at the studios, or on location. Therefore there would be minimal disturbance to neighbouring buildings. On occasions the vehicles might leave early in the morning or return late at night, and are sometimes required to work weekends , although very rarely on a Sunday.

Regarding Denmark House already being authorised as an operating centre - to my knowledge nobody is, or should be operating vehicles from this property. I would assume that it may have been used by previous owners as an operating centre. The buildings and land adjacent to Denmark House are probably using their land as an operating centre as they are running a commercial breakdown vehicle company. Nobody other than myself has permission by the owner to use Denmark House as an operating centre.

I hope this, along with the completed form GV79E, helps to give you enough information regarding our operators licence application. If there are any other queries please contact me on any of the above numbers.

Yours sincerely,

Mr Ray Ellis
('Pick-Ups' Transport)

V.A.T. No. 362 5944 35

14·12
TL/2000/2981

A·P·T
A Marconi company

Dolphin House, Albany Park, Camberley, Surrey GU16 7QH
Telephone: (01276) 605000 Fax: (01276) 683781
Web Site: www.aptelecom.com

Chief Planning Officer
Wokingham District Council
Council Offices
Shute End
Wokingham
RG11 1BN

Our Ref: 17452
13 December 2000

Sent by Recorded Delivery

LICENCE NOTICE

Dear Sir or Madam:

NOTICE OF PERMITTED DEVELOPMENT PROPOSED BY TELECOM SECURICOR CELLULAR RADIO LTD. FOR THE ERECTION OF ONE 12.50-METRE MAST COMPLETE WITH THREE DUAL POLAR ANTENNAS AND ONE RADIO EQUIPMENT HOUSING AND DEVELOPMENT ANCILLARY THERETO AT OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ.

Telecom Securicor Cellular Radio Ltd. is licensed to provide a Communications Network within the United Kingdom. In order to facilitate this, the Company has been conferred the status of Public Telecommunications Code System Operator. Cellular Radio systems are designated as Public Telecommunication Systems under Section 9 of the Telecommunications Act 1984.

As a condition of their operating licence, Telecom Securicor Cellular Radio Ltd. is obliged to advise you of their intention to carry out the development specified above and as shown on the attached plan (No. P/17452/GEN/001, 002, 003, 003.1 & 004). The proposal constitutes permitted development under Class A Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 & the Town and Country Planning (Amendment) Order 1999. Accordingly we hereby provide you with 42 days Notice of our intention to carry out the development as described above.

Yours faithfully

Russell Price
On behalf of Telecom Securicor Cellular Radio Ltd.
Direct line: 01276 605016

WORK SHEET FOR : Joss Miller

Application Number : TL/2000/2981

Applicant : BT Cellnet C/O A P T.

Location : Land Rear Of Taylor Freezer(uk) Plc, Old Bath Road, Charvil, Reading.

Proposal : Proposed erection of 12.5 metre high mast with 3 dual polar antennas and one radio equipment housing.

Site Notice Displayed ? :

YES	NO	DATE
✓		15/12

Date of Neighbour Notifications : 14/12

Date of Site Visit : 15/12

Date Registered : 14/12/2000

Earliest Date for Decision : 07/01/2001

Latest Consultation Date/Site Notice Expiry Date : 07/01/2001

This application will have expired on: 25/01/2001. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Highways – No objection
Env. Health – No objection
Neighbours (company) – Object due to perceived health risk.
Property – No objection

Planning Issues :

Effect on Street scene & neighbouring properties WRT.
Countryside & Green Gap.

Application Number: TL/2000/2981

Appraisal :

This application is for a 12.5m mast with dual polar antennas and radio equipment housing.

Neighbours
There are no residential properties within the immediate vicinity of the mast, however, there are places of work within 33m of it and for this reason it should be refused.

Street scene.
The mast is of a trellis design and is situated in the countryside to the rear of the workshops, over 40m from the Highway so any impact is minimised in that respect. The countryside is fairly open, however, as it is within a development area, impact would be minimised.

Recomendation : Approval: ☐ **Refusal:** ☑
(tick appropriate box)

Application Number TL/2000/2981
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal

RECORD OF SITE VISIT

SITE ADDRESS: Land Rear Of Taylor Freezer(uk) Plc Old Bath Road Charvil Reading.

APPLICATION NUMBER: TL/2000/2981

OFFICER: Joss Miller

DATE OF SITE VISIT: 15/12/00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes in front of building

2. DESCRIPTION OF SURROUNDINGS
Mainly rural / commercial.

3. DESCRIPTION OF SITE/BUILDING
Grassed area.

4. RELATIONSHIP TO ADJOINING PROPERTIES
Warehouse & tyre place in front.
fields to rear

5. SITE CONSTRAINTS

TREES small firs.

ACCESS/PARKING \

LEVELS \

BOUNDARY TREATMENT 1.8m mesh fence.

OTHERS \ .

* * * COMMUNICATION RESULT REPORT (24.JAN.2001 13:24) * * *

TTI WDC PLAN&TRANSPORT

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
002 MEMORY TX		901276683781	OK	P. 2/2

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

FAX COVER SHEET

TO: Mr R. Price

FROM: Joss Miller

DESTINATION FAX No: 01276 683781

DATE: 12.30

TIME: 24/1/01

SUBJECT: TL/2000/2981

TOTAL NUMBER OF PAGES (Inc. this cover sheet): 2

Environmental Services Department, P.O Box 157, Civic Offices, Shute End,
Wokingham, Berkshire RG40 1WR. Tel (0118) 9746428. Fax (0118) 9746484.

Applicationo	Name & Address
TL/2000/2981	W Prince Grove Service Station & White Bridge Garage Old Bath Road Twyford RG10 9Qj

App refused
Letter sent 25/01/01

* * * COMMUNICATION RESULT REPORT (12.JAN.2001 14:55) * * *

TTI WDC PLAN&TRANSPORT

FILE	MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
829	MEMORY TX		901276683781	OK	P. 1/1

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-2) BUSY
E-3) NO ANSWER
E-4) NO FACSIMILE CONNECTION

Tel. 0118 974 6463 (Direct Line)

Date. 12 January, 2001

My ref. JM/JM/TL/2000/2981

Your ref. 17452

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham
E-mail:

Mr R Price
APT
Dolphin House
Albany Park
Camberley
Surrey
GU16 7QH

Dear Mr Price,

RE: PROPOSED ERECTION OF 12.5 METRE TELECOMMUNICATIONS MAST WITH THREE DUAL POLAR ANTENNAS AND ONE RADIO EQUIPMENT HOUSING AT LAND REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL (TL/2000/2981)

I refer to your notification of a 12.5 metre telecommunications mast with three dual polar antennas and one radio equipment housing at land rear of Taylor Freezer (UK) PLC, Old Bath Road, Charvil.

I write to formally advise you that the Local Planning Authority requires prior approval of this scheme due to its proximity to places of work.

I would be grateful if you could submit revised drawings within 10 days of the date of this letter showing the proposal substantially further away from any sensitive issues.

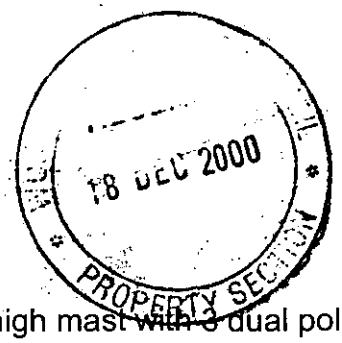
Yours sincerely

M L THORP

Principal Development Control Officer

~~To:~~ FROM:
Property Dept

TO: ~~**From:**~~ Joss Miller



Date: 14 December 2000

Application Number: TL/2000/2981

Proposal: Proposed erection of 12.5 metre high mast with 3 dual polar antennas and one radio equipment housing..

Site Address:
Land Rear Of Taylor Freezer(uk) Plc, Old Bath Road, Charvil, Reading.

Applicant:
BT Cellnet C/O A P T.

Your observations are required in respect of this application within **7 days** of the above date.

This section has no objection to the above proposal.

Sarah Hunter
For Head of Property Section.

HIGHWAYS CONSULTATION SHEET

From: Joss Miller **Date:** 14 December 2000

Application Number: TL/2000/2981

Proposal: Proposed erection of 12.5 metre high mast with 3 dual polar antennas and one radio equipment housing.

Parish: CHARVIL PARISH

Site Address:
Land Rear Of Taylor Freezer(uk) Plc, Old Bath Road, Charvil, Reading.

Applicant:
BT Cellnet C/O A P T.

Your observations are required in respect of this application within **7 days** of the above date.

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☑ Recommend approval with **no** condition(s) or reason(s).

Signed: _____ **Print name:** Adam Coggins

18/12/00.

PLANNING SERVICES HPT
TS
POL
DC
APP
CS
20 DEC 2000
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FILE:

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Joanne Ellis
Environmental Health

My Ref: JPE/RBL

To: Joss Miller
Planning

Your Ref: TL/2000/2981

Date. 19 December 2000

PROPOSED: ERECTION OF 12.5 M HIGH MAST WITH 3 DUAL POLAR ANTENNAS AND ONE RADIO EQUIPMENT HOUSING

LOCATION: LAND REAR OF TAYLOR FREEZZER, OLD BATH ROAD, CHARVIL

These proposals have been evaluated and I have no environmental health objections to planning consent but have the following comments to make in relation to this proposal:

There have been questions raised as to the possibility of adverse health effects from electromagnetic radiation from telecommunication base stations and their positioning in relation to residential development and, in particular schools.

The Chartered Institute of Environmental Healths current policy states that;

(a) despite a growing body of research, there is currently no convincing evidence that environmental exposure to electromagnetic fields (emf) generated by the transmission of electricity or mobile telephony is harmful to human health, including that of children;
(b) that there is no justification on health grounds for restricting the public use of land other than immediately around power and mobile telecommunications installations. Conversely, there is no justification for restricting the siting of such installations in proximity to other land uses:
(c) *that public concerns about the effects of electromagnetic fields while in our current* state of knowledge apparently without foundation, should nonetheless be recognised as genuine.
(d) The full effects of emfs on humans may not yet be realised and though it can never be conclusive, there remains a need for continuing, properly funded, independent research into the nature, extent and relevance of those effects and the consequent adequacy of prevailing exposure guidelines.

Should you have any queries please do not hesitate to contact me.

Joanne Ellis



PLANNING SERVICES	HPT
POL	TLS
DC	ENF
AA	
CS 0035	JKM
22 DEC 2000	
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	FILE:

MVRA
APPROVED

AA
APPROVED

PRINCE BROS.

(W.H. PRINCE)
MOTOR BODY REPAIR SPECIALISTS

GROVE SERVICE STATION AND WHITE BRIDGE GARAGE

Tel: 0118 9340309 Tel/Fax: 0118 9340402
Old Bath Road, Twyford, Berks. RG10 9QJ

20 Dec 2000

Ref Application No TL/2000/2981
Site Address Land in Rear of Taylor Freezer and Prince Bros. Erection of BT Aerial Mast.

Dear Sirs
I have consulted all of my employees and I have to place our most strongest of objections to this Proposal. The proposed mast is within 20 feet of my workshops, which in our opinion is derogatory to the health of my staff. We therefore must object in the strongest possible terms

Trusting we have made our protest Quite clear.

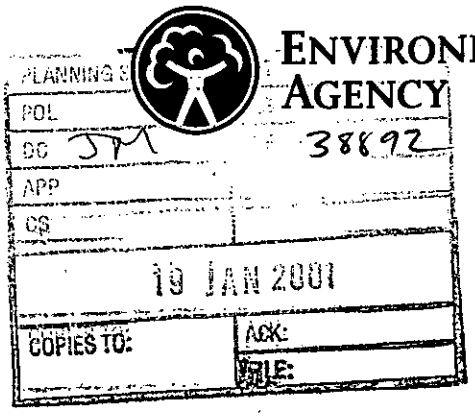
Yours Sincerely

W H Prince
for Prince Bros & Staff.

All correspondence to:
Devonstone House, Duffield Road, Woodley, Reading, Berks. Telephone: Reading 695828
VAT Registration No. 199 4141 31

Our ref: SP\2000\002890\001
Your ref: TL/2000/2981

Date: 16th January 2001



District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Joss Miller

Dear Sir/Madam

LAND REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL OLD BATH ROAD, CHARVIL, READING

Thank you for your letter dated 14 December 2000 which was received on 19 December 2000. You are asked to quote the following reference in any correspondence: SU77NE/9/39.

The Environment Agency has no objection to this proposal.

ADVICE TO PLANNING AUTHORITY

Development Control: Contact Amanda Reed on 01276 45 4331

Slabs on the site should be laid so that the top of the slab is no higher than existing ground level. Any arisings should be removed from the floodplain.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

~~Cont/d.~~

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

PLANNING SERVICES	HPT 3905
POL	TLS
DC	ENF
APP	
CS	
24 JAN 2001	
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	FILE:

PLANNING OBSERVATION SHEET - 123/01

FROM: CHARVIL PARISH COUNCIL

TO: Wokingham District Council

APPLICATION NUMBER **TL2000/2981**

PROPOSAL **12.5 m Mast**

ADDRESSES **Land at rear of Taylor Freezer Plc, Old Bath Road**

APPLICANT **B T Cellnet**

CASE OFFICER **Joss Miller**

PARISH COUNCIL COMMENT

This Mast is on the edge of, and will be visible from the Country Park. Council is therefore concerned that the mast should be of a type designed to blend into the surrounding vegetation. Council would like to see the different types of mast, which are available.

Irvine Cohen
Clerk to the Council

17th January 2000

Received by Wokingham District Council

Application No: TL/2000/2981

Proposal:
Proposed erection of 12.5 metre high mast with 3 dual polar antennas and one radio equipment housing.

Location:
Land Rear Of Taylor Freezer(uk) Plc, Old Bath Road, Charvil, Reading.

The application is available for inspection at Wokingham District Council's offices during the following times:

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday). If you intend to view this application at Woodley Library (see details above) please allow 4 days from the date of this notice for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Joss Miller P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 07/01/2001. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not normally be possible for an individual reply to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Head Planning and Transportation

14 December 2000

WOKINGHAM D.C. DEVELOPMENT CONTROL

42 DAYS

Start date: 14 DEC 2000	
Officer: JM	Application No. TL/2000/2981

Map No. ..... Site .....
Easting: ..... Flood Pln .....
Northing: ..... Mineral .....

Level: ☐ **Sub Committee** ☑ **Delegated** ☐ **Sec. State**

☐ **Incorrect Fee** ☐ **Invalid** ☐ **PD**

Description:

(TL) PROPOSED ERECTION OF 12.5M HIGH MAST WITH 3 DUAL POLAR ANTENNAS AND ONE RADIO EQUIPMENT HOUSING

Location: OLD BATH ROAD

Parish: CHARVIL Ward: .....

Applicant: BT CELLNET

Fee Received 35-00 Required ..... Additional ..... Refund .....

Enforcement (5) Section to be notified ☐ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
6	Floor plans			
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : ..... Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control : .....
Landscape .....
Trees .....
Conservation Officer .....
Environmental Health .....
Housing .....
Leisure & Cultural services .....
Public Rights of Way .....
Property .....
District Secretary (only if called in by SOS) .....
Policy & Plans .....
Strategic Planning (JSPU) .....
Minerals (INTERNAL) .....
Archaeological Site (BABTIE) : .....
Education .....
Social Services .....
Highways .....

EXTERNAL CONSULTATIONS

Adjacent D P A : .....
Adjacent Parish : .....
Southern Electricity Board .....
British Gas .....
PSA Oil Pipeline .....
Transco : .....
Environment Agency in flood plane .....

Rail Track .....
Police Arch. Liaison Officer .....

HERITAGE BODIES

The Georgian Group .....
Ancient Monuments Society .....
Council for British Arch. .....
RCHME .....
Telecommunications (NRPB) : .....
Sport England : .....

OTHERS:

.....
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NEIGHBOURS:

See map
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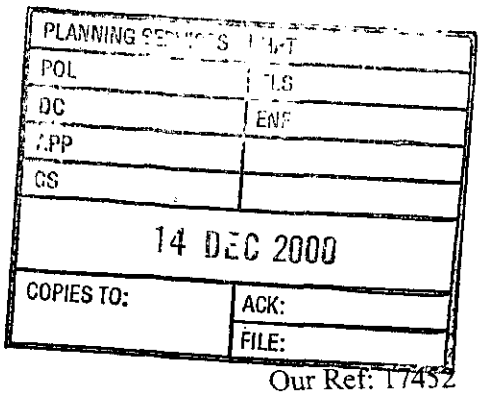
TL/2000/2981



Chief Planning Officer
Wokingham District Council
Council Offices
Shute End
Wokingham
RG11 1BN

Our Ref: 17452
13 December 2000

Sent by Recorded Delivery

GPDO APPLICATION

RE: - OLD BATH ROAD

OUR REF: 17452

(Please quote above reference number in all communications)

CONTENTS:

1 x Covering Letter

1 x Application Fee – Cheque £35.00

1 x Application letter, including drawing no. P/17452/GEN/001, 002, 003, 003.1 & 004

1 x Licence Notice, including drawing no. P/17492a/GEN/001, 002, 003, 003.1 & 004

1 x Annex C (Code of Best Practice)

1 x Copy of site notice and site notice location

1 x Search and Coverage Area Map

CONDITION MONITORING RECORD SHEET

APPLICATION NO: **TL/2000/2981**
CASE OFFICER: **Joss Miller**
SECTION 106 AGREEMENT Yes ☐ No ☐

STAGE OF DEVELOPMENT	CONDITION NUMBER	DATE CONDITION DISCHARGED	DATE COMPLIANCE OBSERVED	DATE BREACH OBSERVED
PRIOR TO COMMENCEMENT				
COMMENCEMENT				
DURING CONSTRUCTION				
COMPLETION				

SOUTHPORT LUK Tel.01704-28866 Fax.01704-25814
LONDON OFFICE Tel.01 71-377-1777 Fax.0171-247-6181

SYSTEMS LTD

APPLICATION NO.2981

Name of appellant:
Telecom Securicor Cellular Radio Ltd

Site address:
Land rear of Taylor Freezer (UK) PLC, Old Bath Rd

Proposal:Proposed erection of 12.5 metre high mast with 3 dual polar antennae & 1 radio equipment housing

Case Officer:JKM

ALLOWED
06/11/01

Date

Date Commenced

Date Completed

J:\LABELFP.DOC - VER2 - 03/04/95

Appeal Decision

Site visit made on 29 October 2001

by G R HOLLAND OBE BArch MCD MRTPI

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

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date
06 NOV 2001

Appeal Ref: APP/X0360/A/01/1069484
land at the rear of Total Tyres Ltd, Denmark House, Old Bath Road, Charvil

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of prior approval for details of the siting and appearance of a telecommunications development permitted by Development Order [Part 24] Schedule to the GDO.
- The appeal is made by Telcom Securicor Cellular Radio Ltd against the decision of Wokingham District Council.
- The application (Ref.TL/2000/2981), dated 15 December 2000, was refused by notice dated 22 January 2001.
- The development proposed is a 12.5m mast with 3 dual polar antennae, one radio equipment housing and development ancillary thereto.

Summary of Decision: The appeal is allowed and prior approval is granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. On the site it was apparent that the rear part of the appeal site, around the proposed location for the mast, had recently been cleared and gravelled, to provide a base and parking for a number of goods vehicles. I understand that an operator's license for this use has been issued.

Main Issues

2. From the written representations and my inspection of the site and its surroundings, I consider that there are two main issues in this appeal. The first is the visual impact of the proposed mast on its surroundings, whilst the second is whether it should be permitted in view of its proximity to places of work.

Planning Policy

3. The development plan in this appeal comprises the 1995 Berkshire Structure Plan [BSP] and the 1995 Loddon Area Local Plan [LALP]. BSP Policies TC1 (Assessment of proposals for telecommunications development) and C6 (Green wedges and gaps) were drawn to my attention. The LALP does not contain policies relating to telecommunications development, but Policy LC1 (Separation of settlements) was considered relevant.

4. The 1997 Wokingham District Local Plan [WDLP] is at Deposit Draft stage, the local public inquiry having been held with the inspector's report expected in late 2001. I have attached such weight as is appropriate to this plan, having regard to the advice in paragraph 48 of Planning Policy Guidance Note 1 [PPG1]. WDLP Policies WIC14 (Assessment of proposals for telecommunications development) and WCC2 (Green gaps and wedges outside the Metropolitan Green Belt) address the issues in this appeal.

Reasons

5. The mast and its compound would be located to the rear of a large modern warehouse building fronting on to the Old Bath Road between Charvil and Twyford. It is in a rural gap, between the two settlements, in an area of water meadows, with some dense areas of willows, poplars and conifers. The warehouse, used for the storage and distribution of tyres, forms part of an isolated group of large modern industrial buildings in the otherwise rural landscape. Adjoining the warehouse to the east are buildings used for car servicing and repairs, with extensive workshop space. The whole group is well screened from the east and west by dense trees and other foliage.

6. In relation to the first issue, it seems to me that the mast, would be very well screened by existing tall conifer and poplar trees and some evergreen hedges, except from the north, where the it and the compound would be visible between the warehouse and garage premises. Even here it would be seen within or against a background of tall conifers and other trees. Distant views of the mast would thus be very limited. I thus consider that the mast, although of the usual unprepossessing standard form, would not intrude on the wider rural setting to an unacceptable degree.

7. From the road the mast would be visible between the existing substantial industrial premises. The compound would also be seen through the security fencing to the goods vehicle parking area. I am, however, convinced that in this context the utilitarian equipment cabin and barbed wire fence to the compound would not appear out of place, provided that it was painted in some unobtrusive colour. This could be ensured by means of a condition.

8. I have therefore come to the conclusion that the proposed mast would not cause material harm to the character or appearance of the surrounding area.

9. Turning to the second issue, the Council took the view that it should have been possible to identify more suitable sites for the installation, further from places of work. The employees of the workshops adjoining the site had expressed concern as to the possible health hazards that might arise from radio emissions from the mast. No evidence was, however, submitted by the Council or the objectors as to the likelihood or intensity of such hazards.

10. From the evidence before me, including the technical and siting considerations and requirements for the mast, I am satisfied that a thorough search for a site within the Charvil area has been carried out and that the 6 other identified sites had been rejected for good reasons. A mast on the appeal site, as well as providing the necessary access facilities, would have a significantly less harmful visual impact compared with more open locations. The Council did not seek to identify any other possible sites that were regarded as more acceptable.

11. The front part of the tyre warehouse is occupied by Taylor Freezers Ltd as offices. These are over 60m from the site of the proposed mast, but workers in the adjoining garage workshops would, however, be no more than 24m from the mast and compound.

12. The government has indicated in the very recent [August 2001] PPG8 'Telecommunications' that although health considerations and public concern can in principle be material considerations in determining applications for prior approvals, the

planning system is not the place for determining health safeguards. It is central government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base meets the ICNIRB guidelines for public exposure, it should not be necessary to further consider the health aspects and concerns about them.

13. Evidence was submitted that indicated that the emissions at the proposed mast would be less than 0.005% of the ICNIRP public exposure guidelines, as measured at the nearest buildings. This has not been disputed by the Council. I am therefore persuaded that on the basis of present best practice there is no reason to suppose that the mast would create a significant health hazard if it were to be allowed. I note that the Council's own Environmental Health officers, having evaluated the proposals, made no objection to the grant of consent.

14. Genuinely held public fears, whether or not they are groundless, have been accepted by the courts as being a material planning consideration. In this case, however, it seems to me important to accord weight to the extremely low levels of the likely emissions when compared with the accepted guidelines, together with the fact that the affected buildings are not dwellings, community buildings or a school. Nor are they intensively occupied throughout the day and night. In these circumstances I am not convinced that the level of risk, even allowing for any uncertainty that remains, is such as to require the strict application of the precautionary principle, justifying a refusal of prior approval.

15. The Council considered that the proposals were in conflict with BSP Policy TC1 and WIC14 of the draft WDLP. Neither of these policies refers to the consideration of health hazards or to the importance to be accorded to public fears. In relation to TC1(i), I am satisfied that the proposal would not result in a significant adverse visual impact. I also consider that the evidence before me indicates that the search carried out by the applicants revealed no satisfactory alternative sites or acceptable ways of providing the degree of area radio cover required. Thus in my opinion, criteria (ii), (iii) and (iv) of Policy TC1 are also met. For the same reasons it seems to me that conflict would not arise with Policy WIC14. Whilst this policy states that on sites within 200m of any building regularly used by people the Council will exercise its option to require prior approval, it does not set specific criteria for the assessment of proposals. In my opinion therefore the proposed development would comply with all the relevant development plan policies and prior approval should not be withheld.

Conditions

16. The Council did not suggest any conditions that should be imposed on the approval, were the appeal to succeed. In view of the utilitarian design of the compound, equipment cabin and barbed perimeter wire fence, I am convinced that some modest planting around it would be necessary to soften its visual impact. I am therefore imposing a condition requiring the prior submission and approval of a scheme of screen planting. It was proposed that the mast would be constructed of galvanised steel with a grey plastic coated finish for the cabin. In order to reduce the prominence and industrial appearance of these structures in views from the surrounding countryside, it seems to me that a condition is required to ensure that they are painted in some unobtrusive colour.

Conclusions

17. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

18. In exercise of the powers transferred to me, I allow the appeal and grant prior approval for details of the siting and appearance of a telecommunications development permitted by Development Order [Part 24] Schedule to the GDO on land at the rear of Total Tyres Ltd, Denmark House, Old Bath Road, Charvil in accordance with the terms of the application [Ref. TL/2000/2981), dated 15 December 2000, and the plans submitted therewith, subject to the following conditions:

    1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

    2) No development shall take place until details of landscape works to screen the compound have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

    3) The mast, equipment cabin and compound fence hereby approved shall be painted and permanently retained in an appropriate colour to be agreed in writing with the local planning authority before the erection of the mast.

Information

19. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

20. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

GR Hollis

INSPECTOR

2981

The Planning Inspectorate

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728645
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8645

DG
PLANNING 48707
PCL
DC
APP
15 OCT 2001
COPIES TO:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: TL/2000/2981

Our Ref: APP/X0360/A/01/1069484

Date: 11 October 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY TELECOM SECURICOR CELLULAR RADIO LTD
SITE AT LAND REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL

I am writing to inform you that the Inspector appointed by the Secretary of State to determine the above appeal is

Mr Geoff Holland OBE BArch MCD MRTPI

The Inspector will visit the appeal site at 15:30 on Monday 29 October 2001. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

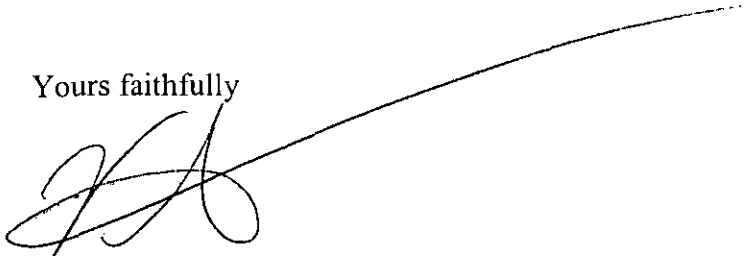
The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeal or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the Inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the date of the Inspector's site visit, although we cannot be precise about individual cases. If despatch of the letter is likely to be significantly delayed, we will let you know.

Yours faithfully



Victoria Hutchinsor

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209D

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

PLANNING SERVICES 49537
POL
DC DG
07 NOV 2001
COPIES TO:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: TL/2000/2981

Our Ref: APP/X0360/A/01/1069484

Date: 6 November 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY TELECOM SECURICOR CELLULAR RADIO LTD
SITE AT LAND REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL

I enclose a copy of our Inspector's decision on the above appeal.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

Mrs Margaret Pocock

COVERDL1

Tel. 0118 974 6463 (Direct Line)

Date. 19 September, 2001

My ref. JM/MLT/TL/2001/2981

Your ref. APP/X0360/A/01/1069484

Mr S P Campbell
The Planning Inspectorate
Roon 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham
E-mail:

Dear Mr Campbell,

RE: APPEAL BY TELECOM SECURICOR CELLULAR RADIO LTD.
SITE: LAND AT REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL. TL/2001/2981.

Thankyou for your letter which was received on 5 September 2001.

The Council's is of the opinion that the Plan demonstrates that there are opportunities to relocate the mast in the countryside, where it would be acceptable to both the Local Planning Authority and the local residents.

Yours sincerely

M L THORP
Principal Development Control Officer

File: TL.2001.2981
Old Bath Road
Charvil IH

The Planning Inspectorate

D 9

3/03 Kite Wing
Temple Quay House
2 The Square
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Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

PLANNING SERVICES 47396
POL
DC
APP D G
OS
5 SEP 2001
COPIES TO

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: TL/2000/2981

Our Ref: APP/X0360/A/01/1069484

Date: 4 September 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY TELECOM SECURICOR CELLULAR RADIO LTD
SITE AT LAND REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL

I enclose a copy of the appellants statement relating to the above appeal. I also enclose third party correspondence.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. Comments submitted after that deadline may not be seen by the Inspector. — 20/09/01

Yours faithfully

Simon Campbell

Mr S P Campbell

211AL(BPR)

Plan demonstrates that there are opportunities to locate the mast in the countryside, where it would be acceptable to L.P.A. and local residents.

SMITH-WOOLLEY

CHARTERED · SURVEYORS

BATH CAMBRIDGE NEWARK NORWICH OXFORD SHREWSBURY SOLIHULL

Appeal Ref: APP/X0360/A/01/1069484
Our Ref: 29-8-1

29 August 2001

RECEIVED
30 AUG 2001
PINS AA PEP

Miss A Groves
The Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Miss Groves

LAND AT REAR OF TOTAL TYRES LTD/ TAYLOR FREEZER (UK) PLC, DENMARK HOUSE, OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, *RG10 9QJ*

APPEAL BY BT CELLNET LTD

I write further to our Appeal submission dated July 2001 at the above site. Please find enclosed two sets of coverage plots for the above site. These plots show the existing coverage currently received by the surrounding area and the proposed coverage as a result of the proposed installation at the appeal site. The coverage plots supplement Section 4.2 of the Appeal Statement.

In summary, the installation is needed to provide coverage to the surrounding area of Charvil East and a continuous level of service to the BTCellnet network. The current level of coverage does not meet the Appellant's Code System Operator Licence requirements for this area.

In planning radio coverage, the Appellant uses a computer based propagation prediction tool. This type of tool provides an accurate indication of the expected coverage from any point within the UK.

Radio coverage, for a system such as the one being set up by the Appellant, is initially planned in a series of idealised hexagonal areas or "cells" with radio sites at their centres. The objective is then to provide equipment in the most appropriate locations to replicate the planned distribution. In practice, precise replication can be problematic, because of factors such as variations in topography within individual areas. The Appellant's objective and duty under the terms of its Code System Operator Licence is always to choose a distribution of sites that provide continuous coverage over the target area.

8 OXFORD STREET, WOODSTOCK, OXON OX20 1TP
TEL 01993 811624 FAX 01993 812760 DX 53701 WOODSTOCK
woodstock@smith-woolley.co.uk www.smith-woolley.co.uk

Partners: T H G Cooper FRICS FAAV R M Beazley BSc (Agric) MRICS FAAV R G P Plowden FRICS P Ainscough MRICS M R Bore MRICS C R G Campion MRICS P V Lindon MA FRICS K A Preston BSc MSc H S Kilner MA MPhil MRICS MRTPI J J Morgan-Smith BSc (Hons) MRICS FAAV P C R Whittle MA FRICS
Associates: I J Glenny FRICS FAAV D C Morris MRICS J G Leighton-Dyson G R A Warde-Aldam BA MRICS R Stanway-Williams BSc DipBldgCons MaPS MRICS S L Firmin BSc (Hons) MRICS T C G Perkins FRICS N C Brocklesby BSc (Hons) MRICS FAAV G H Warren MRICS M P Glass FRICS P C O Long FNAEA R C Linnell BSc (Hons) Mphil MRTPI D Sibley BSc FASI MCIOB
Consultants: S R Burman FRICS FAAV MCIArb

INVESTOR IN PEOPLE

SMITH-WOOLLEY
CHARTERED · SURVEYORS

BATH CAMBRIDGE NEWARK NORWICH OXFORD SHREWSBURY SOLIHULL

The coverage from each site should only overlap slightly with that of adjacent sites. Too much overlap means that infrastructure costs will be higher than necessary, the probability of radio interference between sites using the same frequencies is increased; and mobile telephones will have difficulty in deciding which site to select.

The Appellant's radio cell planners assessed that there was a need to provide coverage to the area of Charvil East.

The coverage plot contained within **Plot A** show the coverage from existing BT Cellnet sites, with the exception of the proposed site at Charvil East.

The following key is used to assess the strength of the field:

Green:	Urban in building coverage (meaning very good all round coverage);
Dark Blue:	Suburban in building coverage (meaning acceptable level of coverage);
Light Blue:	In car coverage;

Base Map Colour: No coverage of the required level.

Plot A clearly shows that the area of Charvil East currently receives suburban in building coverage as indicated by the dark blue colour on the plot. This is not the best level of coverage available and unacceptable to the Appellant's Code System Operator Licence. Therefore the site is required to fill this identified need.

Conversely **Plot B** shows the extent of coverage in the area with the appeal site in place. It can be clearly seen how the area of green (optimum level of coverage) is achieved over Charvil East through the installation of this proposal.

An installation at Charvil East also fits in well within the existing network (to the north around Loddon Park Farm and the A4 and to the east around Twyford), while maintaining a sufficient distance from other installations and thus avoiding technical interference.

If you have any questions please contact Sian Kilner or Stuart Rackham at the address below.

Yours sincerely

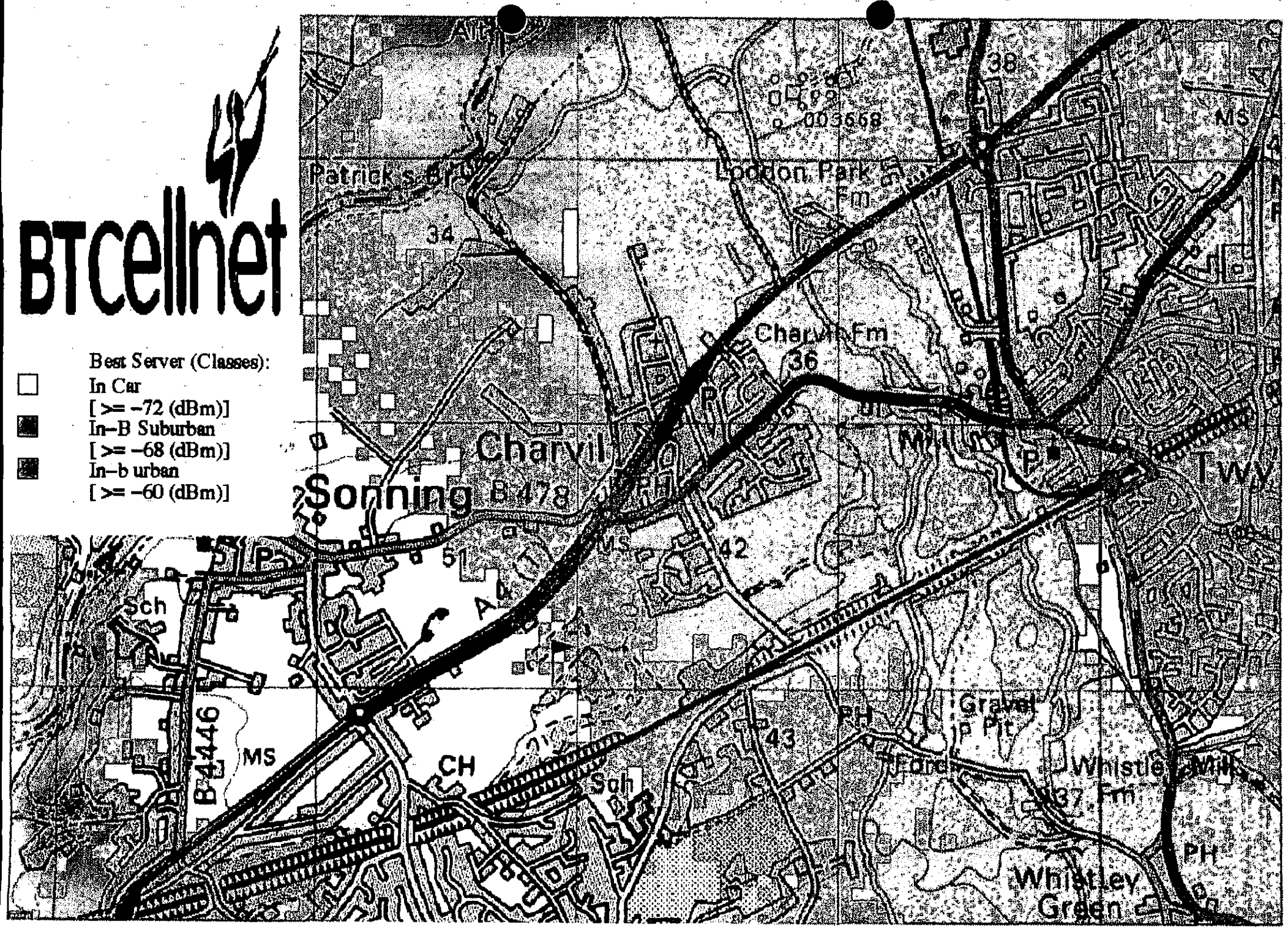
Stuart Rackham
Smith-Woolley
Enc.

8 OXFORD STREET, WOODSTOCK, OXON OX20 1TP
TEL 01993 811624 FAX 01993 812760 DX 53701 WOODSTOCK
woodstock@smith-woolley.co.uk www.smith-woolley.co.uk

Partners: T H G Cooper FRICS FAAV R M Beazley BSc (Agric) MRICS FAAV R G P Plowden FRICS P Ainscough MRICS M R Bore MRICS C R G Campion MRICS P V Lindon MA FRICS K A Preston BSc MSc H S Kilner MA MPhil MRICS MRTPI J J Morgan-Smith BSc (Hons) MRICS FAAV P C R Whittle MA FRICS
Associates: I J Glenny FRICS FAAV D C Morris MRICS J G Leighton-Dyson G R A Warde-Aldam BA MRICS R Stanway-Williams BSc DipBldgCons MaPS MRICS S L Firmin BSc (Hons) MRICS T C G Perkins FRICS N C Brocklesby BSc (Hons) MRICS FAAV G H Warren MRICS M P Glass FRICS P C O Long FNAEA R C Linnell BSc (Hons) Mphil MRTPI D Sibley BSc FASI MCIOB
Consultants: S R Burman FRICS FAAV MCIArb

INVESTOR IN PEOPLE

A


BTcellnet
Best Server (Classes):
In Car
[>= -72 (dBm)]
In-B Suburban
[>= -68 (dBm)]
In-b urban
[>= -60 (dBm)]
Patrick's Br
Loddon Park Fm
Charvil Fm
Charvil
Sonning
B 478
A 4
Twy
Sch
B 4446
MS
CH
Gravel Pit
Whistley Mill
Whistley Green
PH
Ford
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42
43
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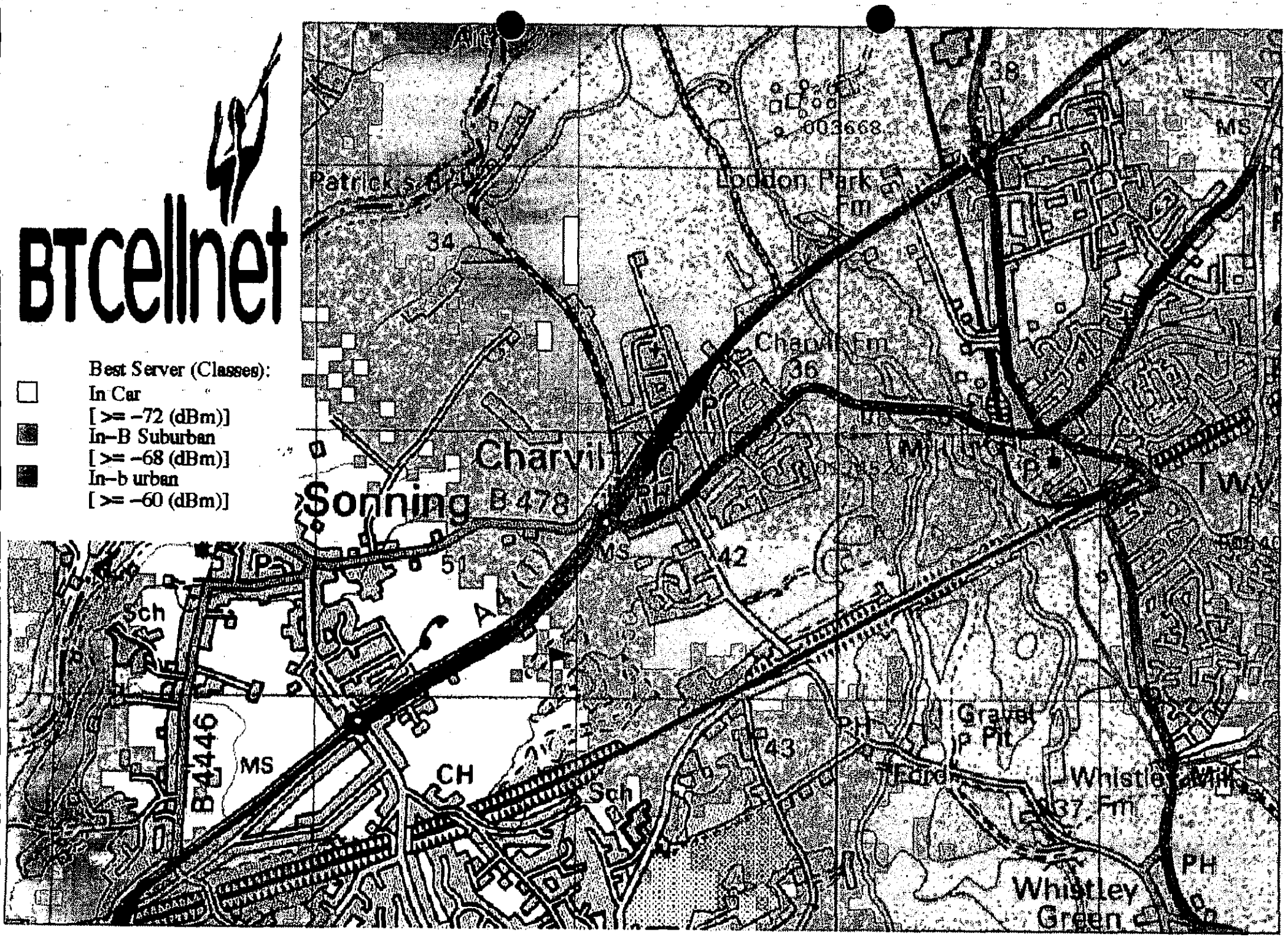
003668

B


BTcellnet
Best Server (Classes):
In Car
[>= -72 (dBm)]
In-B Suburban
[>= -68 (dBm)]
In-b urban
[>= -60 (dBm)]
Patrick's Br
Loddon Park Fm
Charvil Fm
Charvil
Sonning
B 478
A4
B 4446
Sch
MS
CH
PH
Gravel Pit
Whistley Mill
Whistley Green
Ford
Twy
003668
34
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38
42
43
51

MVRA APPROVED

AA APPROVED

RECEIVED
- 1 AUG 2001
PINS AA PEP

PRINCE BROS.
(W.H. PRINCE)
MOTOR BODY REPAIR SPECIALISTS
GROVE SERVICE STATION AND WHITE BRIDGE GARAGE
Tel: 0118 9340309 Tel/Fax: 0118 9340402
Old Bath Road, Twyford, Berks. RG10 9QJ

July 30 2001

To Miss A Groves
The Planning Inspectorate.
Ref APP/X0360/A/01/1064484.

Dear Miss Groves.

I am writing to reinforce our very strong objections to the proposed mobile phone ariel and antenna, which Telecom Seemor cellular Radio ltd wishes to put up within 25 yds of my yard and workshops.

The whole of my staff also very strongly object to the mast being so close. The proposed position is utterly unacceptable. There are other fields over the back of our property, in which the Ariel could be placed much further away, and I would suggest they survey a site way over nearer the railway.

So I reiterate our most strong objections to the proposed siting.

Yours Faithfully

W H Prince
for Prince Bros

All correspondence to:
Devonstone House, Duffield Road, Woodley, Reading, Berks. Telephone: Reading 695828
VAT Registration No. 199 4141 31

Tel. (0118) 974 6448 (Direct Line)
Date: September 20, 2001
My ref: TL/2001/2981
Your ref: APP/X0360/A/01/1069484

Mr S Campbell
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Mr Campbell

APPEAL BY: Telecom Securicor Cellular Radio Ltd

With reference to this appeal, I enclose 2 copies of the Council's final comments.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: August 29, 2001
My ref: TL/2001/2981
Your ref: APP/X0360/A/01/1069484

Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Environmental Services Department
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Tel: (0118) 974 6000
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Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Miss Groves

APPEAL BY: BT Cellnet
SITE: Land rear of Taylor Freezer (UK) Ltd, Old Bath Rd, Charvil

With reference to this appeal, I enclose 2 copies of the Council's statement of case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: July 27, 2001
My ref: TL/2000/2981
Your ref: APP/X0360/A/01/1069484

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Miss Groves

APPEAL BY: BT Cellnet
SITE: Land r/o Taylor Freezer (UK) PLC, Old Bath Rd, Charvil

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent a copy to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. July 27, 2001
My ref: TL/2000/2981
Your ref:HSK/SR

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Smith-Woolley
8 Oxford St
Woodstock
Oxon
OX20 1TP

Dear Sirs

APPEAL BY: **BT Cellnet Ltd**
SITE: **Land r/o Taylor Freezer (UK) PLC, Old Bath Rd, Charvil**

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-6079

DG 45928

PLANNING SERVICES | HPT | POL | TLS | DC | ENF | APP | DS | DG

20 JUL 2001

COPIES TO: | FILE:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: TL/2000/2981
Our Ref: APP/X0360/A/01/1069484
Date: 19 July 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY TELECOM SECURICOR CELLULAR RADIO LTD
SITE AT LAND REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

You must **submit** the following documents within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and interested persons who were consulted at application stage and those who made comments that the appeal has been made. You should tell them that: -

i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date.** If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

Within 6 weeks from the starting date -

You must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000.* Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments submitted by interested parties.

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. In most cases the visit will be arranged within 12 weeks of the **starting date**.

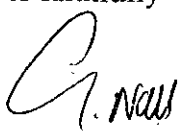
You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully



Miss A Groves

102(BPR)

The Planning Inspectorate

Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk

For official use only
Date received

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 8939.

Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name BT CELLNET LIMITED

Address C/O AGENT

Daytime phone no

Fax no

Postcode

E-mail address

B. AGENT DETAILS (If any)

Name SMITH-WOOLLEY

Address 8 OXFORD STREET

WOODSTOCK

OXON

Postcode OX20 1TP

Your reference HSK/SR

Daytime phone no 01993 811624

Fax no 01993 812760

E-mail address Srackham@smith-woolley.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

LPA's application reference no TL/2000/2981

Date of the planning application 15 DECEMBER 2000

Date of LPA's decision notice (if issued) 22/01/01

D. APPEAL SITE ADDRESS

Address LAND TO THE REAR OF TOTAL TYRES LTD/TAYLOR FREEZER (UK) plc, DENMARK HOUSE, OLD BATH ROAD, CHARVIL, READING, BERKSHIRE

Postcode RG10 9QS

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box. ☐

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed with the LPA)

ERECTION OF A 12.5M TELECOMMUNICATIONS MAST WITH THREE DUAL POLAR ANTENNAS AND RADIO EQUIPMENT HOUSING.

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☑
2. Grant planning permission for the development subject to conditions to which you object. ☐
3. Refuse approval of details required by a previous outline planning permission. ☐
4. Grant approval of details required by a previous outline planning permission subject to conditions to which you object. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

   or

6. The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☐

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

Please note that when we decide how the appeal will proceed, we take into account the LPA's views

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING ☐

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY ☐

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

H. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** *grounds of appeal must be made, otherwise we will return* the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

PLEASE SEE ATTACHED STATEMENT AND APPENDICES.

H. GROUNDS OF APPEAL (continued)

Please turn over

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick **one** box only* ✔

CERTIFICATE A ☐

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B ☑

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served
MR. P ATWELL	TOTAL TYRES LTD, DENMARK HOUSE, OLD BATH RD, CHARVIL, READING, BERKSHIRE, RG10 9QJ	13/7/01.

CERTIFICATES C and D ☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

✔

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding; ☑

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below: ☐

Tenant's name	Address at which the notice was served	Date the notice was served

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

1. A copy of the original **planning application** sent to the LPA. ☑
2. A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form). N/A
3. A copy of the **LPA's decision notice** (if issued). ☑
4. A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map). ☑
5. Copies of all **plans, drawings and documents** sent to the LPA as part of the application. ☑
6. Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). ☑

Copies of the following must also be sent, if appropriate:

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ☐

_____

_____

8. Any relevant **correspondence** with the LPA. ☐
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   - (a) the relevant outline application; ☐
   - (b) all plans sent at outline application stage; ☐
   - (c) the original outline planning permission; ☐
10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

PLEASE TURN OVER AND SIGN THE FORM – UNSIGNED FORMS WILL BE RETURNED

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and relevant documents to the LPA *(if you do not, your appeal will not normally be accepted).*
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature Smith-Woolley (on behalf of) BT CELLNET LTD.

Name (in capitals) SMITH-WOOLLEY Date 13/07/01.

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at:**
  The Planning Inspectorate
  Customer Support Section
  Temple Quay House
  2 The Square
  Temple Quay
  BRISTOL
  BS1 6PN

  We do not currently accept appeals by e-mail or fax.

- **1 COPY to the LPA**
  Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for us receiving further information or representations.

   YOU MUST KEEP TO THE TIMETABLE
   If information or representations are received late we may disregard them. They will not be seen by the Inspector but will be sent back to you.
4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

Published by the Planning Inspectorate March 2001

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2-16 Colegate
Norwich NR3 1BQ

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Telecom Securicor Cellular Radio Ltd
SITE: Land rear of Taylor Freezer (UK) PLC, Old Bath Rd, Charvil
APPLICATION NO.: 2981
PROPOSAL: Proposes erection of 12.5 metre high mast with 3 dual polar antennae & 1 radio equipment housing

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Charvil

Pamela Graddon

Clerk(s) of Parish / Town Council of Charvil

Mr I Cohen, 49 Old Bath Rd, Charvil, Reading, RG10 9QP

Environmental Services Department, Engineering Services, Wokingham District Council,
PO Box 157, Council Offices, Shute End, WOKINGHAM, Berkshire, RG40 1WR

Environmental Health, WDC
-FAO Tom Payne

Property Services WDC
-FAO Sarah Hunter

Environment Agency, Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16
-FAO Sarah Paxman Ref: SU77NE/9/39

Applicationo	Name & Address
TL/2000/2981	Prince Brothers & Staff Grove Service Station & White Bridge Garage Old Bath Road Twyford RG10 9QJ

App refused
Letter sent 25/01/01

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT:	BT Cellnet
APPEAL SITE:	Land rear of Taylor Freezer (UK) Ltd, Old Bath Road, Charvil.
REASON FOR APPEAL:	Appeal against refusal of prior approval for the erection of a 12.5 metre high lattice tower with 3 dual polar antennas and radio equipment housing.

LOCAL PLANNING AUTHORITY REFERENCE : TL/2001/2981

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/01/1069484

1.0 LOCATION AND SITE DESCRIPTION

1.01 The appeal site is located to the south of Old Bath Road, on land designated in the Local Plan as Countryside and Green Gap, within the Parish of Charvil. The proposed site is situated approximately 10 metres to the rear of workshops on Old Bath Road. A site location plan at scale 1:1250 is contained in Appendix 1.

2.0 RELEVANT PLANNING HISTORY

2.01 On 22 January 2001 the application, which is currently the subject of this appeal, was refused for the following reasons:

1. ***The proposal is unacceptable in view of its proximity to places of work.***

3.0 POLICY BACKGROUND

3.01 The development plan for the area comprises of the Berkshire Structure Plan and the Loddon Area Local Plan. There is also an emerging district wide Local Plan.

3.02 The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.

3.03 ***TC1*** - *Assessment of proposals for telecommunications development,* and ***C6*** – *Green Wedges and Gaps* (See appendix 2) is relevant in consideration of this appeal.

3.04 The Loddon Area Local Plan (LALP) was adopted on 5th May 1995 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee, at their meeting on 21st November 1996, resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to

note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision". This plan does not contain any policies relating specifically to telecommunications development, however, ***LC1*** *– Separation of settlements* (See appendix 3) is relevant in consideration of this appeal.

3.05 The emerging local plan is the Wokingham District Local Plan Deposit Draft (WDLPDD). Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the plan was placed on deposit between 21 October and 2 December 1997. It has formed the basis for development control decisions since 21 October 1997. The Inspector's report on the local plan inquiry is not expected until late 2001 (with the exception of policy WSM1).

3.06 ***WIC14*** *- Assessment of proposals for telecommunications development,* and ***WCC2*** *- Green gaps and wedges (outside the metropolitan green belt)* (See appendix 4) is relevant in consideration of this appeal.

4.0 THE COUNCIL'S CASE

4.01 It is considered that there are two main issues with regard to the proposed siting of the telecommunications equipment.

- siting
- proximity to places of work

4.02 Siting

The DETR Circular 'Planning for Telecommunications' (04/99) states that the Government attaches considerable importance to keeping to a minimum the number of radio masts and telecommunications masts, and sites for such installations. Policy is to encourage mast and site sharing where that is appropriate. The policy goes on to explain that good use should be made of existing buildings and other structures for the siting of antennas. Policy TC1 of the Berkshire Structure Plan

supports this advice and states that in the case of radio antennae and masts the possibility of erecting antennae on an existing building or other structure should be investigated.

4.03 Planning guidance on telecommunications advises Local Planning Authorities that they may reasonably expect applicants to show evidence that they have explored the possibility of erecting antennas on an existing mast, building or other structure.

4.04 The circular advises that if evidence regarding the consideration of such alternative sites is not considered satisfactory, the Planning Authority, or Secretary of State on Appeal may be justified in refusing prior approval or planning permission for the development.

4.05 The application for the prior approval determination was not accompanied by any such document giving details of any alternative structures that had been investigated.

4.06 Proximity to places of work

The proposed telecommunications lattice tower has a height of 12.5 metres. It would be situated approximately 10 metres from the workshops on the site, and would also be in close proximity to the workshops on the adjoining site. A letter of objection was sent from the adjacent company on behalf of all the employees, relating to concerns regarding health implications, which highlight the public concern relating to this proposal.

4.07 In summary, the proposed mast would be unacceptable due to its proximity to the places of work.

5.00 CONCLUSION

5.01 In conclusion, it is submitted that the proposed mast is unacceptable due to its proximity to places of work. The proposed location of the mast 24 metres away from the closest workshop has resulted in a significant level of public concern and alarm.

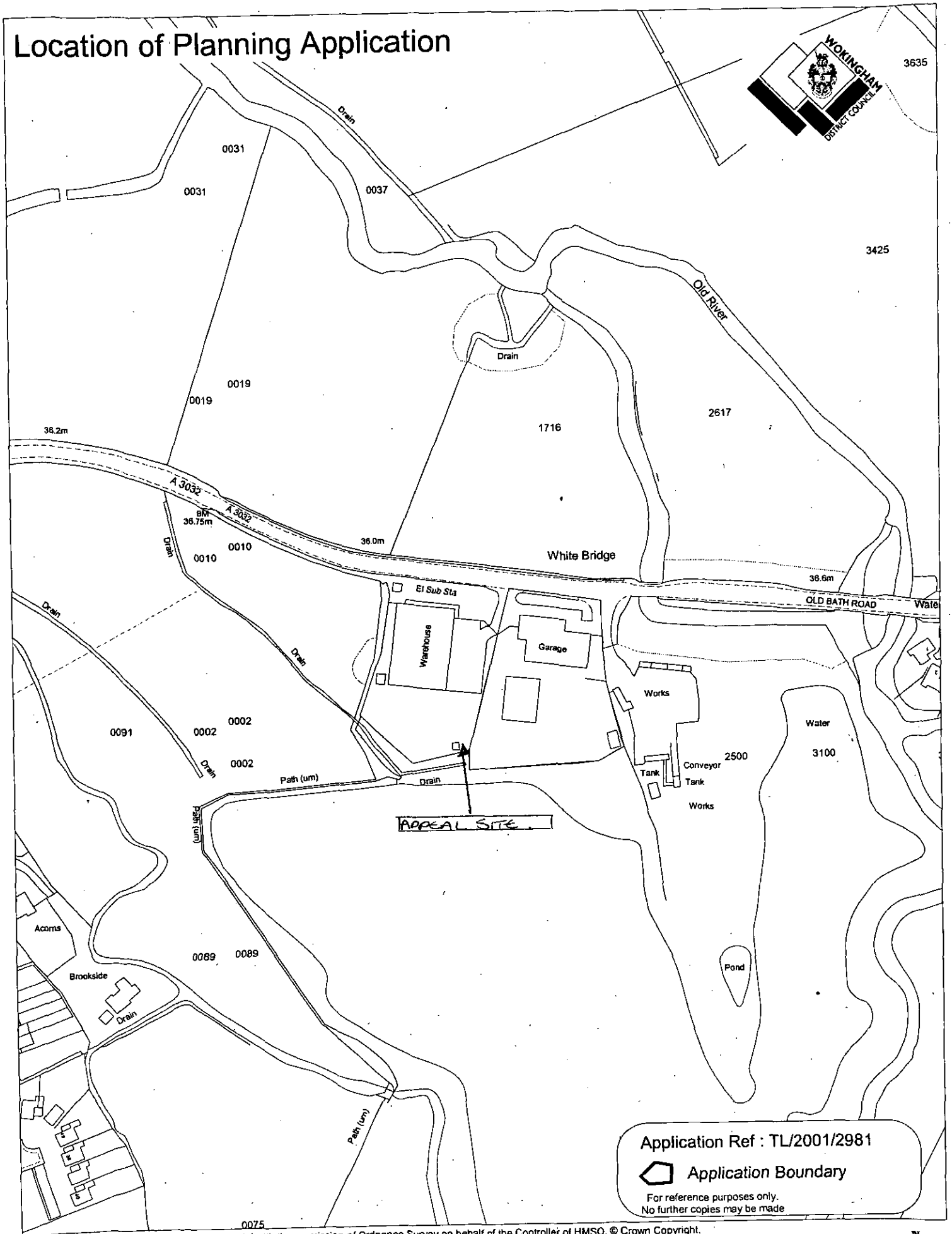
5.02 As such, the proposed telecommunications mast and associated equipment cabinet is contrary to Policy TC1 of the Berkshire Structure Plan and policy WIC14 of the Wokingham District Local Plan (Deposit Draft).

5.03. It is inconceivable that it would be impossible to find an alternative site which would be more than 24 metres away from a place of employment, and more acceptable to the local community.

5.04 For the above reasons, the Inspector is respectfully requested to dismiss this appeal.

Appendix 1

Location of Planning Application



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Development Control Section, Environmental Services, Wokingham District Council.

28 August 2001

Scale: 1 : 2500

N
W E
S

Appendix 2

Royal County of BERKSHIRE



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

11 TELECOMMUNICATIONS AND RENEWABLE ENERGY

11.1 This chapter deals with two subject areas, telecommunications and renewable energy, which are covered in Government guidance contained in Planning Policy Guidance Notes 8 'Telecommunications' and 22 'Renewable Energy'.

11.2 PPG8 sets out the benefits of telecommunications and advises that the Government's general policy is 'to facilitate the growth of new and existing systems' while maintaining commitment to environmental objectives. It provides guidance on the form and particular requirements of telecommunications development, and Policy TC1 below takes account of the growth and characteristics of modern telecommunications.

11.3 The benefits of providing energy from renewable sources are emphasised in Government advice (PPG22). In Chapter 3 of this Plan, the importance of resource conservation is stressed, being a key element of a sustainable approach to development. Renewable energy sources play an important role in conserving non-renewable resources and reducing harm to the global environment.

Telecommunications Development

11.4 Telecommunications developments include radio relay stations, base stations, antennas and masts. The technology continues to develop, and can generate environmental benefits; for instance, they can help to reduce the need to travel, both in terms of journeys to work and the transfer of information. However, telecommunications equipment can itself be environmentally intrusive, especially if it is poorly sited.

11.5 A balance will be sought between the growth of telecommunications developments and their impact on the environment. The aim is to respond positively to telecommunications development proposals, in line with government guidance, whilst taking account of technical considerations, other policies designed to preserve and enhance the environment, and the environmental benefits that may accrue.

Assessment of Proposals for Telecommunications Development

Policy TC1 **Planning permission will normally be granted for telecommunication development. Where there is potential conflict with environmental objectives telecommunications development will be allowed provided:**

i) **it is sited and designed so as not to result in significant adverse visual impact, subject to operational and technical requirements;**

ii) **there are no satisfactory alternative sites for telecommunications available;**

iii) **there is no reasonable possibility of sharing existing facilities; and**

iv) **in the case of radio antenna and masts there is no reasonable possibility of erecting antennae on an existing building or other structure.**

11.6 In considering the acceptability of a proposal in relation to these criteria, the following factors will be relevant:

- the need to protect the best and most sensitive environments, in particular within the North Wessex Downs AONB and Areas of Special Landscape Importance;
- the significance of the proposed development as part of a national network, and the implications for subsequent network development;
- the need to minimise visual impact.

Renewable Energy

11.7 Renewable energy refers to those "energy flows that occur naturally and repeatedly in the environment - from the sun, wind and oceans, and from plants and the fall of water. It also refers to energy available in wastes and from within the earth itself" (ETSU[1]). Renewable energy can be derived from schemes involving : wind power; landfill gas; hydro-electric power; energy from crops and forestry; solar; and waste combustion.

11.8 There are many advantages to using these renewable energy sources, since for the most part the energy generated causes no harmful gaseous emissions. In addition, using renewable energy can assist in reducing the demand for fossil fuels such as coal, gas and oil, and thereby reduce the potential for pollution. For example, passive solar gain in residential developments can, through good design and layout, reduce conventional fuel demand by 12%.

11.9 For these reasons renewable energy is being given increasingly serious consideration as an alternative energy source, with Government policy encouraging such schemes, providing they are economically attractive and environmentally acceptable. This encouragement includes the Non-Fossil Fuel Obligation (NFFO) introduced by the 1989 Electricity Act. The NFFO requires regional electricity companies to purchase a proportion of their electricity from non-fossil fuel sources.

11.10 Given the environmental constraints in Berkshire, the opportunities for developing some renewable energy schemes may well be limited. For example, the physical development associated with renewable energy schemes such as wind farms and waste to energy processes have a potentially serious environmental impact. Therefore a balance has to be achieved between the benefits of harnessing renewable energy and the impact on the Berkshire environment.

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1 *ETSU manage the Government's new and renewable energy programme on behalf of the Department of Trade and Industry*

Appendix 3

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG40 1WR
Telephone: (01734) 778798
Fax: (01734) 778735

There have often been competing claims for the use of land, besides agriculture, in this part of Berkshire in the past, and they will be strengthened by the reduced role of agricultural production. The plan has a central role to play in achieving a rational balance between those claims.

1.3.06 Many of the policies are protective of the countryside and restrict new built development in accordance with the overall policy LTV1 of this Plan and Policy EN1 of the Replacement Structure Plan. The policies also seek to enhance the countryside in those areas where a land-use plan is able to do so.

EXPANSION OF EXISTING SETTLEMENTS

1.3.07 Some of the Housing and Employment policies allow for limited development of sites outside the identified settlements shown on the Proposals Map. It is important that where these are otherwise acceptable they should not prejudice the maintenance of the rural areas and the countryside in general terms. In addition to the general restriction of development in rural areas embodied in policy LTV2 there are, therefore, policies which apply to land on or close to the boundaries of the identified settlements and to land between settlements. The aims of these policies are:

a) to maintain, and where possible reinforce, a clear distinction between built-up areas and rural areas,

b) to ensure that new development either within or on the boundaries of built-up areas does not detract from the surrounding countryside,

c) to ensure that a physical and visual separation is maintained between distinct settlements.

1.3.08 The policies are based upon and complementary to Policies EN4, EN5 and EN6 of the Replacement Structure Plan and do not seek to repeat them. Particular consideration will be given to Policy EN4 which deals with the need to prevent development impinging unsatisfactorily on the surrounding countryside regardless of whether or not it is within one of the special categories outlined below.

1.3.09 Where there are distinct settlements, development on their boundaries or between them could, either visually or physically, damage their individual identities. Policy LC1 identifies the areas which are essential to the maintenance of physical and visual separation and makes it clear that development will not be permitted which would detract from that essential function. In some cases this will not include all of the intervening land between settlements but there may be other policies in the plan, in addition to LTV2, which make development equally unacceptable. In some areas the gap which already exists between settlements falls below that ideally required to maintain physical and visual separation. It is particularly important that what remains is fully protected and, where possible, made more effective.

1.3.10 In considering what areas should be included in Policy LC1, only gaps between identified settlements or between identified settlements and areas of sporadic development have been identified. At the smaller scale, development between areas of sporadic development would be equally unacceptable and on the larger scale, major developments in the wider tracts of open countryside between settlements could create new pressures for coalescence and be objectionable on that basis. The criteria used to identify the areas notated under policy LC1 are contained in Local Plan Working Paper Two which is available separately from this plan.

❖ LC1 SEPARATION OF SETTLEMENTS

IN SEEKING TO MAINTAIN A CLEAR SEPARATION OF SETTLEMENTS WITHIN THE PLAN AREA, DEVELOPMENT WILL NOT BE PERMITTED IN THE AREAS DEFINED ON THE PROPOSALS MAPS WHICH WOULD EITHER DETRACT FROM THE UNDEVELOPED APPEARANCE OR INTENSIFY EXISTING SPORADIC DEVELOPMENT. THESE

AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS. WHERE THE VISUAL OR PHYSICAL SEPARATION BETWEEN SETTLEMENTS IS NOT FULLY EFFECTIVE AT THE PRESENT TIME THE DISTRICT COUNCIL WILL SEEK TO ENHANCE VISUAL SEPARATION BY THE ENCOURAGEMENT OF TREE PLANTING OR OTHER APPROPRIATE MEANS.

1.3.11 In addition to protecting land because of its significance in separating settlements from each other it is proposed that areas of importance because of their character and appearance in relationship to adjoining built-up areas should also be protected. These areas of land are either an important part of the landscape setting of the settlement concerned, such as an open area or sloping land around it, or are areas of land which have an intimate relationship with the settlement and which are thus important to the retention of its character and setting. Examples are enclosed fields and paddocks which are an inherent part of the character of some of the settlements in the plan area.

❖ LC2 SETTING OF SETTLEMENTS

DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD DETRACT FROM THE OPEN OR RURAL APPEARANCE OF THE AREAS OF LAND DEFINED ON THE PROPOSALS MAPS WHICH ARE OF SPECIAL SIGNIFICANCE IN MAINTAINING THE LANDSCAPE SETTING OR THE INDIVIDUAL CHARACTER OF THE SETTLEMENTS.

AREAS OF SPECIAL LANDSCAPE IMPORTANCE

1.3.12 The landscape character of the local plan area is influenced by the rivers and streams which flow northwards to the Thames. In the northern part of the plan area, near the confluence of the rivers Thames and Loddon is a valley bottom landscape in which the town of Woodley and village of Sonning to the west and villages of Twyford and Wargrave to the east occupy slightly elevated positions. The River Loddon flows from the south joined by the Blackwater north of Swallowfield, through a wide open valley landscape, wholly agricultural in the south, but increasingly gravel and water dominated in the north. The slopes which flank the valley and wooded hill tops which form their crests are prominent in views from within the valley and across it.



1.3.13 A plan-wide landscape survey has identified two tracts of countryside within the plan area, at Farley Hill and Bearwood, as being of special importance in landscape terms. Both are wooded, hilltop areas which feature in views from large parts of the plan area. The criteria used to identify these areas and the alternative boundaries considered are contained in Local Plan Working Paper Three which is available separately from this plan. The following policies are intended to:

a) protect the areas of special landscape importance from development which would detract from their rural character and special landscape qualities;

b) enhance their rural character and landscape qualities by encouraging appropriate management;

c) protect them from development on land around them which would adversely affect their character and setting.

1.3.14 The areas identified represent the 'Other Areas of Special Landscape Importance' within the plan area referred to in Policy EN9 of the Replacement Structure Plan for Berkshire.

Appendix 4



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- **Proposed Amendments April 1999**
- **Additional Proposed Amendments September 1999**
- **Proposed Transport Amendments February 2000**

UTILITIES INFRASTRUCTURE

11.28 Public utility services include infrastructure works for electricity, gas, water supply, sewerage and telecommunications services. All these services are provided by private sector companies and the Council has a limited control over their activities. Development for operational needs will generally be supported. The local planning authority has also liaised with services providers in respect of the plan's policies that could help service provision.

POLICY WIC13: PUBLIC UTILITIES

PROPOSALS FOR DEVELOPMENT REQUIRED FOR THE OPERATIONAL NEEDS OF PUBLIC UTILITIES WILL BE SUPPORTED SUBJECT TO THEIR ACCEPTABILITY ON ENVIRONMENTAL AND AMENITY GROUNDS IN ACCORDANCE WITH OTHER RELEVANT POLICIES AND PROVISIONS OF THE PLAN. IN CONSIDERING PROPOSALS THE COUNCIL WILL TAKE INTO ACCOUNT EXISTING LEVELS OF INFRASTRUCTURE, TECHNICAL AND OPERATIONAL REQUIREMENTS *AND* **(PA 11/9)** THE OPPORTUNITIES FOR SHARING FACILITIES ~~AND APPROPRIATE PHASING OF DEVELOPMENT~~. **(PA 11/9)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Telecommunications

11.29 PPG 8 *Telecommunications* states that local planning authorities should respond positively to telecommunications development proposals. However where possible existing masts and equipment should be used in order to avoid impact on amenities.

11.30 Telecommunications are being promoted as being important and therefore interference as a result of development must be minimised. Large structures can result in physical obstruction, or reflection, of above ground signals and therefore interference to existing networks can be a material consideration in determining a planning application.

11.31 On major new developments developers will be encouraged to allow for the future telecommunications needs of occupants and make provision for necessary equipment. Communal provision will be expected on larger developments to reduce the proliferation of aerials. In addition operators will be encouraged to remove telecommunications structures that have become redundant.

POLICY WIC14: ASSESSMENT OF PROPOSALS FOR TELECOMMUNICATIONS DEVELOPMENT

PLANNING PERMISSION WILL BE GRANTED FOR TELECOMMUNICATIONS DEVELOPMENT PROVIDED THAT IT IS IN ACCORDANCE WITH POLICY TC1 OF THE BERKSHIRE STRUCTURE PLAN 1991 – 2006. ~~IN ADDITION THE COUNCIL WILL CONSIDER 'PRIOR NOTIFICATION' SUBMISSIONS IN ACCORDANCE WITH POLICY WOS3~~ **(PA 11/10)** AND OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN. THE COUNCIL WILL ALSO SEEK TO SECURE THE REMOVAL OF ANY TELECOMMUNICATIONS APPARATUS THAT IS NO LONGER REQUIRED FOR ITS ORIGINAL PURPOSE.

BEFORE PERMISSION IS GRANTED, APPLICANTS WILL BE REQUIRED TO SHOW THAT NO ALTERNATIVE LESS VISUALLY INTRUSIVE SITE IS AVAILABLE OR TECHNICALLY FEASIBLE. CONDITIONS MAY BE IMPOSED TO REQUIRE PROVISION OF A SUITABLE SCREEN TO MITIGATE THE VISUAL IMPACT OF THE APPARATUS.

Cont.

THE COUNCIL WILL EXERCISE ITS OPTION TO REQUIRE PRIOR APPROVAL IN AREAS DESIGNATED IN THIS PLAN AS BEING ENVIRONMENTALLY SENSITIVE, WITHIN 200 METRES OF ANY BUILDING REGULARLY USED BY PEOPLE AND IN OPEN COUNTRYSIDE WHERE IT WOULD APPEAR ABOVE THE SKYLINE. **(PA 11/11)**

Implementation: Through the development control process.

Monitoring: Planning applications and prior notifications determined.

11.31A FOR THE PURPOSES OF POLICY WIC 14 THE AREAS WHICH ARE DESIGNATED AS BEING ENVIRONMENTALLY SENSITIVE ARE AREAS OF SPECIAL LANDSCAPE IMPORTANCE, THE THAMES VALLEY, SITES OF URBAN LANDSCAPE VALUE, LOCAL NATURE RESERVES, WILDLIFE HERITAGE SITES, THE GREEN BELT, CONSERVATION AREAS, AREAS OF SPECIAL CHARACTER, HISTORIC PARKS AND GARDENS, LISTED BUILDINGS, ARCHAEOLOGICAL SITES, ANCIENT MONUMENTS, GREENWAYS, GREEN ROUTES AND AREAS WHICH FORM THE SETTING OF THESE AREAS. **(PA 11/12)**

Recycling

11.32 Recycling and Sustainable Development are important issues and the Government recognises that the planning system has a role to play in weighing the interests of economic development and environmental protection. The Council has a recycling plan (approved by the Department of the Environment in 1992). It aims to achieve a 25% recycling target of all household waste generated in this District by the year 2000. The County Council adopted a *Waste Management Plan for Berkshire* in 1995. Its strategy is based on waste minimisation, re-use and recycling, and the treatment of waste to produce useful products. In addition to this the County Council has produced a *Waste Local Plan*, which is a land use plan setting out policies and proposals for new waste facilities that seek to ensure minimal harm to the environment and the public. The Berkshire Structure Plan 1991 - 2006 contains a policy that seeks provision of recycling facilities on site or a contribution to them elsewhere as is appropriate to the development proposed. Development proposals will be expected to take account of recycling policies contained within the Berkshire Structure Plan 1991 - 2006 and the Waste Local Plan.

WATER AND SEWERAGE

Water Quality

11.33 The quality of water is an increasingly important area of concern. Deteriorating water quality can affect the supply of water for domestic, industrial and agricultural uses and general amenity. The Council should therefore restrict development that would threaten surface and ground water quality. The Environment Agency has published ground water vulnerability maps, which identify areas requiring protection from potentially polluting activities.

POLICY WIC15: SURFACE AND GROUND WATER PROTECTION

THE COUNCIL WILL (FOLLOWING CONSULTATION WITH THE ENVIRONMENT AGENCY) RESIST DEVELOPMENT THAT COULD ADVERSELY AFFECT THE QUALITY OF SURFACE AND GROUND WATER AS A RESULT OF THE NATURE OF SURFACE OR WASTE WATER DISCHARGE, OR GIVE RISE TO POLLUTION PROBLEMS AS A RESULT OF DISTURBANCE TO CONTAMINATED LAND.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined.

2.29 Major development in the wider tracts of open countryside could create further development pressures leading to the coalescence of settlements. The open land between Wokingham and Crowthorne to the east of the Reading/Guildford railway line is subject to particular pressures and is therefore identified in the Structure Plan supporting text (para. 5.28) to Policy C6. The Council will continue to protect the wider tracts of open countryside between other settlements, such as between Wokingham, Hurst and Twyford *AND THE LODDON VALLEY BETWEEN ABORFIELD CROSS AND SHINFIELD.* **(PA 2/10)**

POLICY WCC2: GREEN GAPS AND WEDGES (OUTSIDE THE METROPOLITAN GREEN BELT)

IN SEEKING TO MAINTAIN A CLEAR SEPARATION OF SETTLEMENTS WITHIN THE PLAN AREA, DEVELOPMENT WILL NOT BE PERMITTED IN THE GREEN GAPS AND WEDGES THAT WOULD AFFECT OR DETRACT FROM THEIR OPEN OR COUNTRYSIDE APPEARANCE AND CHARACTER. THESE AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS AND THE COUNTRYSIDE SETTING THEY PROVIDE FOR THEM.

EXISTING SETTLEMENT BOUNDARY FEATURES SUCH AS WOODLANDS, COPSES AND HEDGEROWS SHOULD BE RETAINED AND, WHERE POSSIBLE, ENHANCED. POSITIVE MANAGEMENT OF LANDSCAPE FEATURES THAT CONTRIBUTE TO THE SEPARATION OF SETTLEMENTS WILL BE ENCOURAGED.

ANY DEVELOPMENT ADJOINING AREAS IMPORTANT TO THE SEPARATION OF SETTLEMENTS MUST NOT UNDERMINE THOSE BOUNDARY FEATURES IMPORTANT TO THE LANDSCAPE.

THE GREEN GAPS AND WEDGES ARE IDENTIFIED ON THE PROPOSALS MAP.

Implementation: The development control process, encouragement and advice to landowners.

Monitoring: Impact of planning consents and number of positive management actions achieved.

Central Berkshire Forest

2.30 This Council has been developing the principles of landscape enhancement on the edges of the built-up areas through its Community Woodland programme in the Loddon Valley. The Berkshire Structure Plan 1991 - 2006 includes a proposal for a 'new forest' in the central part of Berkshire. *THIS WILL INVOLVE INCREASED TREE COVER AND SHOULD ALSO INCLUDE A RICH VARIETY OF OTHER USES SUCH AS FARMLAND, HEATH AND MEADOWS. THE FOREST SHOULD AFFORD OPPORTUNITIES FOR RECREATION, WILDLIFE AND THE DIVERSIFICATION OF FARMING ACTIVITIES.* **[A3]**

2.31 A study has been undertaken of how and where the Community Woodland concept can be expanded into other areas where there would be a positive benefit from an increase in tree cover and thereby contribute to the concept of the new forest. The study has established a search area, outside the Metropolitan Green Belt, which includes:

a) the Earley sectors of the Community Woodland
b) the critical gaps between Woodley, Earley and Winnersh
c) the mineral degraded landscapes of the middle Loddon Valley
d) the Lower Loddon, between the A4 and the Thames
e) weak settlement edges and areas important to the setting and separation of settlements
f) the A329(M) and M4 corridors.

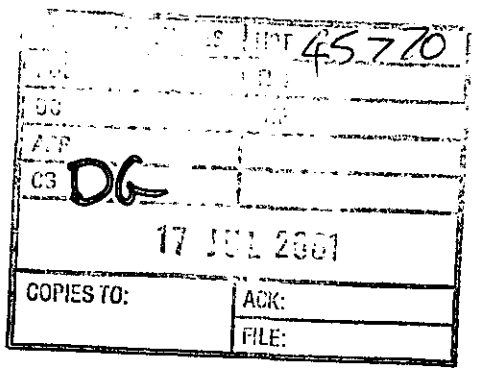
SMITH-WOOLLEY

CHARTERED · SURVEYORS

BATH CAMBRIDGE NEWARK NORWICH OXFORD SHREWSBURY SOLIHULL

Our Ref: 13-7-3

13 July 2001



Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Sirs

LAND TO THE REAR OF TOTAL TYRES LTD./ TAYLORS FREEZER (UK) PLC, DENMARK HOUSE, OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ

APPEAL BY BT CELLNET LIMITED

We write further to the decision of your Council to refuse prior approval for the erection of a 12.5 telecommunications mast with three dual polar antennas and radio equipment housing at the above site, under planning application reference TL/2000/2981. We enclose a copy of our appeal submission which was sent to the Planning Inspectorate.

If you have any questions in relation to the enclosed please contact either Sian Kilner or Stuart Rackham at the address below.

Yours faithfully

Smith-Woolley

Smith-Woolley

cc: The Planning Inspectorate

Enc

8 OXFORD STREET, WOODSTOCK, OXON OX20 1TP
TEL 01993 811624 FAX 01993 812760 DX 53701 WOODSTOCK
woodstock@smith-woolley.co.uk www.smith-woolley.co.uk

Partners: T H G Cooper FRICS FAAV P C R Whittle MA FRICS R M Beazley BSc (Agric) ARICS FAAV R G P Plowden FRICS P Ainscough ARICS R N Stansfield BSc FRICS M R Bore ARICS C R G Campion ARICS P V Lindon MA FRICS A J Ridgway MA FRICS FAAV K A Preston BSc MSc A G Neale BSc (Hons) ARICS *Associates:* I J Glenny FRICS FAAV D C Morris ARICS J G Leighton-Dyson J J Morgan-Smith BSc (Hons) ARICS FAAV G R A Warde-Aldam BA ARICS D J Mapus-Smith BSc (Hons) ARICS FAAV H S Kilner MA MPhil ARICS MRTPI R Stanway-Williams BSc DipBldgCons MaPS ARICS S L Firmin BSc (Hons) ARICS T C G Perkins FRICS D Hardingham BSc (Hons) ARICS N C Brocklesby BSc (Hons) ARICS FAAV N S Chapman BSc ARICS G H Warren ARICS
Consultant: S R Burman FRICS FAAV ACIArb Partnership Manager: I J Dodd BSc PhD

INVESTOR IN PEOPLE

SMITH-WOOLLEY
CHARTERED · SURVEYORS

BATH CAMBRIDGE NEWARK NORWICH OXFORD SHREWSBURY SOLIHULL

Our Ref: SR/13-7-1

13 July 2001

The Planning Inspectorate
Appeals Registry
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Sirs

LAND TO THE REAR OF TOTAL TYRES LTD./TAYLORS FREEZER (UK) PLC, DENMARK HOUSE, OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ

APPEAL BY BT CELLNET LIMITED

We enclose an appeal against the decision of the Wokingham District Council to refuse prior approval for the erection of a 12.5 telecommunications mast with three dual polar antennas and radio equipment housing at the above site.

The appeal is accompanied by the following documents:

1. The Planning Appeal Form.
2. A copy of the Notice served on the owners of the land.
3. A copy of the Appeal Statement and Appendices Document.

The site location plans and other relevant details are contained within the attached Appendices Document.

We can confirm that copies of the enclosed documents have been sent to the Local Planning Authority. If you have any questions concerning the appeal please contact Sian Kilner or Stuart Rackham at the address below.

Yours faithfully

S-W

Smith-Woolley

Enc
cc Wokingham District Council

8 OXFORD STREET, WOODSTOCK, OXON OX20 1TP
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Consultant: S R Burman FRICS FAAV ACIArb Partnership Manager: I J Dodd BSc PhD

INVESTOR IN PEOPLE

SMITH-WOOLLEY
CHARTERED · SURVEYORS

BATH CAMBRIDGE NEWARK NORWICH OXFORD SHREWSBURY SOLIHULL

Our Ref: 13-7-2

13 July 2001

Mr P Atwell
Total Tyres Ltd
Denmark House
Old Bath Road
Charvil, Reading
Berkshire
RG10 9QJ

Dear Sirs

LAND TO THE REAR OF TOTAL TYRES LTD./ TAYLORS FREEZER (UK) PLC, DENMARK HOUSE, OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ

APPEAL BY BT CELLNET LIMITED

We have been instructed by BT Cellnet Limited to submit an appeal against the decision of the Wokingham District Council to refuse prior approval for the erection of a 12.5 telecommunications mast with three dual polar antennas and radio equipment housing at the above site, which is owned by you (planning application number TL/2000/2981).

We are required as part of the appeal process to serve Notice on the owners of land which is the subject of the appeal. We therefore enclose this Notice for your attention.

If you have any questions please do not hesitate to contact either Sian Kilner or Stuart Rackham at the address below.

Yours faithfully

S-W

Smith-Woolley

Cc: The Planning Inspectorate
Enc.

8 OXFORD STREET, WOODSTOCK, OXON OX20 1TP
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woodstock@smith-woolley.co.uk www.smith-woolley.co.uk

Partners: T H G Cooper FRICS FAAV P C R Whittle MA FRICS R M Beazley BSc (Agric) ARICS FAAV R G P Plowden FRICS P Ainscough ARICS M R Bore ARICS C R G Campion ARICS P V Lindon MA FRICS A J Ridgway MA FRICS FAAV K A Preston BSc MSc A G Neale BSc (Hons) ARICS D J Mapus-Smith BSc (Hons) ARICS FAAV H S Kilner MA MPhil ARICS MRTPI
Associates: I J Glenny FRICS FAAV D C Morris ARICS J G Leighton-Dyson J J Morgan-Smith BSc (Hons) ARICS FAAV G R A Warde-Aldam BA ARICS R Stanway-Williams BSc DipBldgCons MaPS ARICS S L Firmin BSc (Hons) ARICS T C G Perkins FRICS N C Brocklesby BSc (Hons) ARICS FAAV G H Warren ARICS M P Glass FRICS P C O Long FNAEA
Consultants: S R Burman FRICS FAAV MCIArb Partnership Manager: I J Dodd BSc PhD

INVESTOR IN PEOPLE

Town and Country Planning (General Development Procedure) Order 1995

NOTICE UNDER ARTICLES 6 AND 9(1) OF APPEAL

(to be published in a newspaper or to be served on an owner or a tenant**)*

Proposed development at *(a)* LAND AT REAR OF TOTAL TYRES LTD/TAYLORS FREEZERS UK(plc), DENMARK HOUSE, 320 BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ

I give notice that *(b)* BT CELLNET LTD

having applied to the *(c)* WOKINGHAM DISTRICT Council

to *(d)* ERECT A 12.5M TELECOMMUNICATIONS MAST, 3 DUAL POLAR ANTENNAS AND RADIO EQUIPMENT HOUSING

is appealing to the Secretary of State for the Environment~~/Secretary of State for Wales~~†

against the decision of the Council†

~~on the failure of the Council to give notice of a decision~~†

Any owner* of the land or tenant** who wishes to make representations about this appeal should write to the Secretary, Department of the Environment~~/Welsh Office† at Tollgate House, Houlton Street, Bristol BS2 9DJ/Planning Division, Cathays Park, Cardiff CF1 3NQ†~~, by (e) .....

Customer Support Section, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed Smith-Woolley

†On behalf of BT CELLNET LTD

Date 13 JULY 2001

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

†delete where inappropriate

Insert:

(a) address or location of the proposed development
(b) appellant's name
(c) name of Council
(d) description of the proposed development
(e) date giving a period of 21 days beginning with the date of service or 14 days beginning with the date of publication of the notice (as the case may be)

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SMITH-WOOLLEY
CHARTERED · SURVEYORS

BATH CAMBRIDGE NEWARK NORWICH OXFORD SHREWSBURY SOLIHULL

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
SECTION 78 APPEAL TO THE SECRETARY OF STATE
ON BEHALF OF BT CELLNET LIMITED

LAND AT REAR OF TOTAL TYRES LIMITED, DENMARK HOUSE, OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ

APPEAL AGAINST THE DECISION OF WOKINGHAM DISTRICT COUNCIL TO REFUSE PRIOR APPROVAL FOR THE ERECTION OF A 12.5 METRE HIGH MAST WITH THREE DUAL-POLAR ANTENNAE AND ONE RADIO EQUIPMENT HOUSING.

APPENDICES DOCUMENT

Smith-Woolley
8 Oxford Street
Woodstock
Oxon

OX20 1TP

Tel. (01993) 811624
Fax. (01993) 812760

BTCELLNET: CHARVILEAST 17452
LPA REF: TL/2000/2981
SW REF: SR/K/P&D/CLIENTS/BTCELLNET17452CHARVILEAST/APP

July 2001

AMC AGENT

A list of Partners is available from any Smith-Woolley Office

INVESTOR IN PEOPLE

APPENDICES CONTENTS

Appendix 1	Prior Approval Application and Supporting Statement.
Appendix 2	Site Location Plan
Appendix 3	Copy of Decision Notice
Appendix 4	Letter to Local Planning Authorities from Former Minister for Planning (June 2000).
Appendix 5	Press Release from Former Minister for Planning (March 2001)
Appendix 6	Relevant Structure Plan Policies.
Appendix 7	Relevant Local Plan Policies
Appendix 8	District Council Explanation of Internal Telecommunications Policy.
Appendix 9	District Council Environmental Health Officer Statement
Appendix 10	Predicted levels of EMF emissions from the antennae
Appendix 11	Relevant Appeal Decisions

Appendix 1 Prior Approval Application and Supporting Statement.

recorded [redacted] signed for

We do not pay compensation for money or jewellery sent Recorded, use Special Delivery instead

Value of item
£ 17452

D 14/12.

Initials
13-12-00

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Chief Planning Officer
Wokingham District Council
Council Offices
Shute End
Wokingham
RG11 1BN

GPDO APPLICATION

RE: - OLD BATH ROAD

OUR REF: 17452

(Please quote above reference number in all communications)

CONTENTS:

1 x Covering Letter

1 x Application Fee – Cheque £35.00

1 x Application letter, including drawing no. P/17452/GEN/001, 002, 003, 003.1 & 004

1 x Licence Notice, including drawing no. P/17492a/GEN/001, 002, 003, 003.1 & 004

1 x Annex C (Code of Best Practice)

1 x Copy of site notice and site notice location

1 x Search and Coverage Area Map

ANNEX C

(Part 2.1 (ii) of the Code refers)

INFORMATION TO ACCOMPANY AN APPLICATION FOR PRIOR APPROVAL DETERMINATION UNDER PART 24 OF THE GPDO IN RESPECT OF PERMITTED DEVELOPMENT BY TELECOMMUNICATIONS CODE SYSTEM OPERATORS

1) PRE-APPLICATION CONSULTATION WITH LOCAL PLANNING AUTHORITY

i) Licence notification i.e. pre rollout of network: Date 13.05.1997

Name of LPA contact: THE CHIEF PLANNING OFFICER

ii) On sites in specific cell(s): 17452 Date 13/12/2000

Name of LPA contact: Ms N Lake

2A. NAME AND ADDRESS OF APPLICANT

Name TELECOM SECURICOR CELLULAR RADIO LTD.

Address 1, BRUNEL WAY, SLOUGH

Postcode SL1 1XL Tel (01753) 564504

2B. AGENT'S NAME, ADDRESS AND CONTACT

Name A.P.T.

Address DOLPHIN HOUSE, ALBANY PARK, CAMBERLEY, SURREY

Postcode GU16 7QD Tel (01276) 605016

Contact RUSSELL PRICE

2C. LOCATION OF PROPOSAL

Location: OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ.

2D. O.S. SHEET/GRID REFERENCE

Sheet and six-figure grid reference of proposed development

Sheet: SU Grid reference: 7812/7600

Please continue overleaf

3. PURPOSE OF DEVELOPMENT

A radio installation is required at the above location to provide radiotelephone coverage to the surrounding area. It is also required in order to provide contiguous radio cover to my Client's network.

The antennas must be located at the shown height to provide adequate radio coverage to the cell. Any reduction to this height would bring about a corresponding reduction to the radio coverage.

See supporting information.

4. *THE PROPOSED STRUCTURE (Please enclose a site plan and indicate details of cell boundaries,* and whether shared mast/tower or free-standing)

i) Type of structure
(e.g. tower, mast etc) -
..... MAST.....

overall height 12.50 metres

height of existing building metres

ii) Equipment housing (each cabin)
Length ...3.725 metres width ...2.525 metres height ...2.805 metres

iii) Materials (as applicable)
Tower/mast etc:- type of material and external colour

..... MAST – GALVANISED STEELWORK... .....

equipment housing:- type of material and external colour

.....CABIN – GREY PLASTIC COATED METAL.....

Location of and distance to nearest residential or commercial property (where applicable):-
.....

5.
DISTANCE FROM AIRFIELD OR AERODROME (Please tick as appropriate)

Will the structure be within 3km of an aerodrome or airfield?	Yes	☐	No	☑
Has the Civil Aviation Authority or Secretary of State for Defence (as appropriate) been notified?	Yes	☐	No	☐

Signed ..... Date 13/12/2000
On behalf of TELECOM SECURICOR CELLULAR RADIO LTD.

NOTE A

SITE NOTICE

Proposed development at **OLD BATH ROAD, CHARVIL, READING, RG10 9QJ .**

GRID REF: SU 7812/7600. **SITE REF: 17452**

I give notice that **A.P.T.**

on behalf of **TELECOM SECURICOR CELLULAR RADIO LTD.**

is applying to **WOKINGHAM DISTRICT COUNCIL**

under paragraph A.2(4A) of Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 for its determination as to whether the prior approval of the authority will be required to the siting and appearance of

ONE 12.5-METRE MAST COMPLETE WITH THREE DUAL POLAR ANTENNAS, ONE RADIO EQUIPMENT HOUSING (3725mm x 2525mm x 2805mm HIGH) AND DEVELOPMENT ANCILLARY THERETO.

Under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995, ***WOKINGHAM DISTRICT COUNCIL*** *is allowed 42 days beginning with the date of* application to consider whether prior approval will be required to the siting and appearance of the development proposed and, if so, to give or refuse such approval and to serve that decision upon the applicant.

Members of the public may inspect copies of the application and accompanying plans at

WOKINGHAM DISTRICT COUNCIL, PLANNING DEPARTMENT, COUNCIL OFFICES, SHUTE END, WOKINGHAM, RG11 1BN.

Individuals and organisations wishing to make representations about the siting and appearance of the proposed development are invited to forward their views in writing no later than **04.01.2001** to

WOKINGHAM DISTRICT COUNCIL, PLANNING DEPARTMENT, COUNCIL OFFICES, SHUTE END, WOKINGHAM, RG11 1BN.

clearly stating that comments are being forwarded in relation to the proposed development of a ground-based mast at

OLD BATH ROAD, CHARVIL, READING, RG10 9QJ.

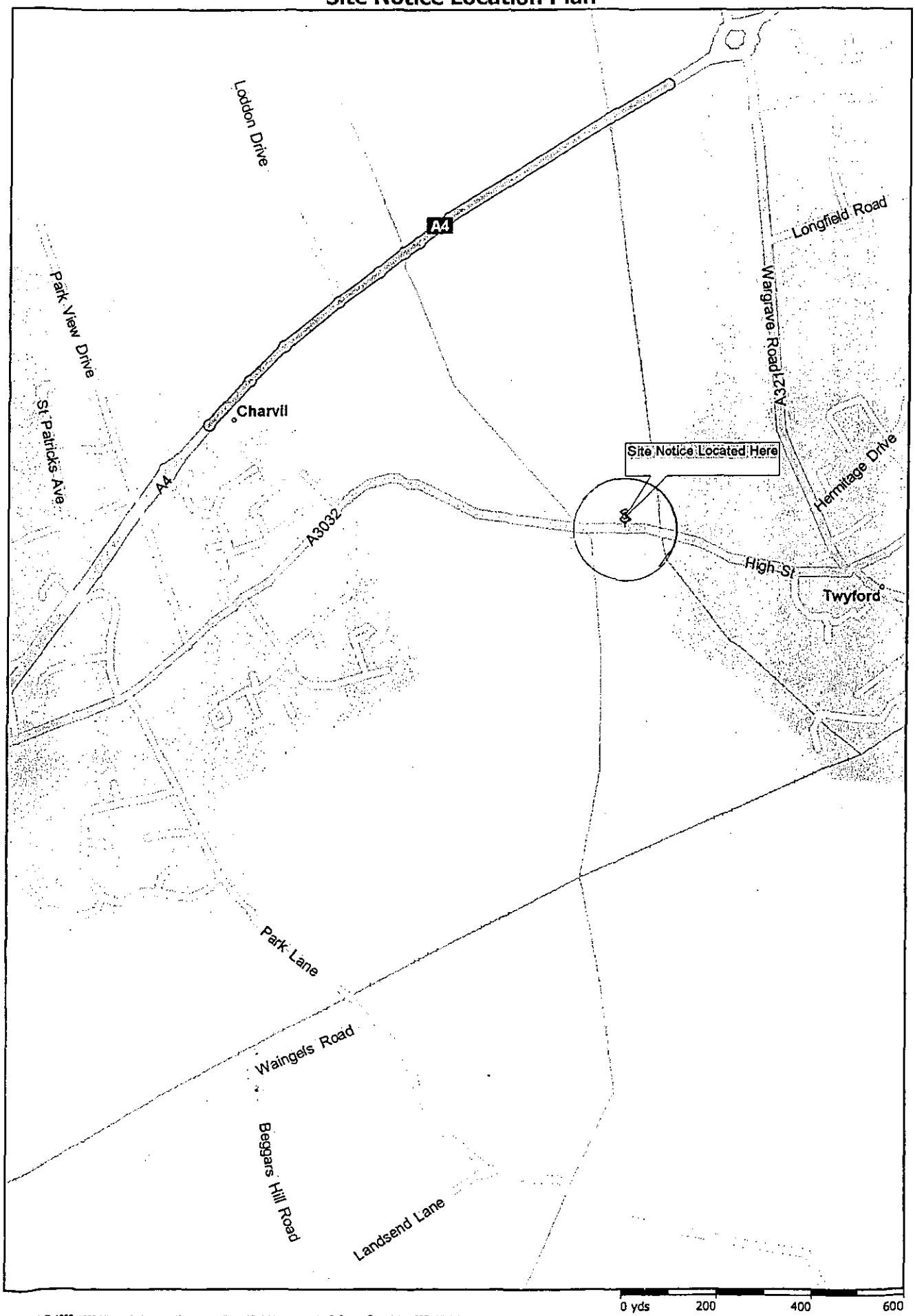
GRID REF: SU 7812/7600. **SITE REF: 17452**

SIGNED: _____

ON BEHALF OF: **TELECOM SECURICOR CELLULAR RADIO LTD.**

DATED: **15/12/2000**

Site Notice Location Plan



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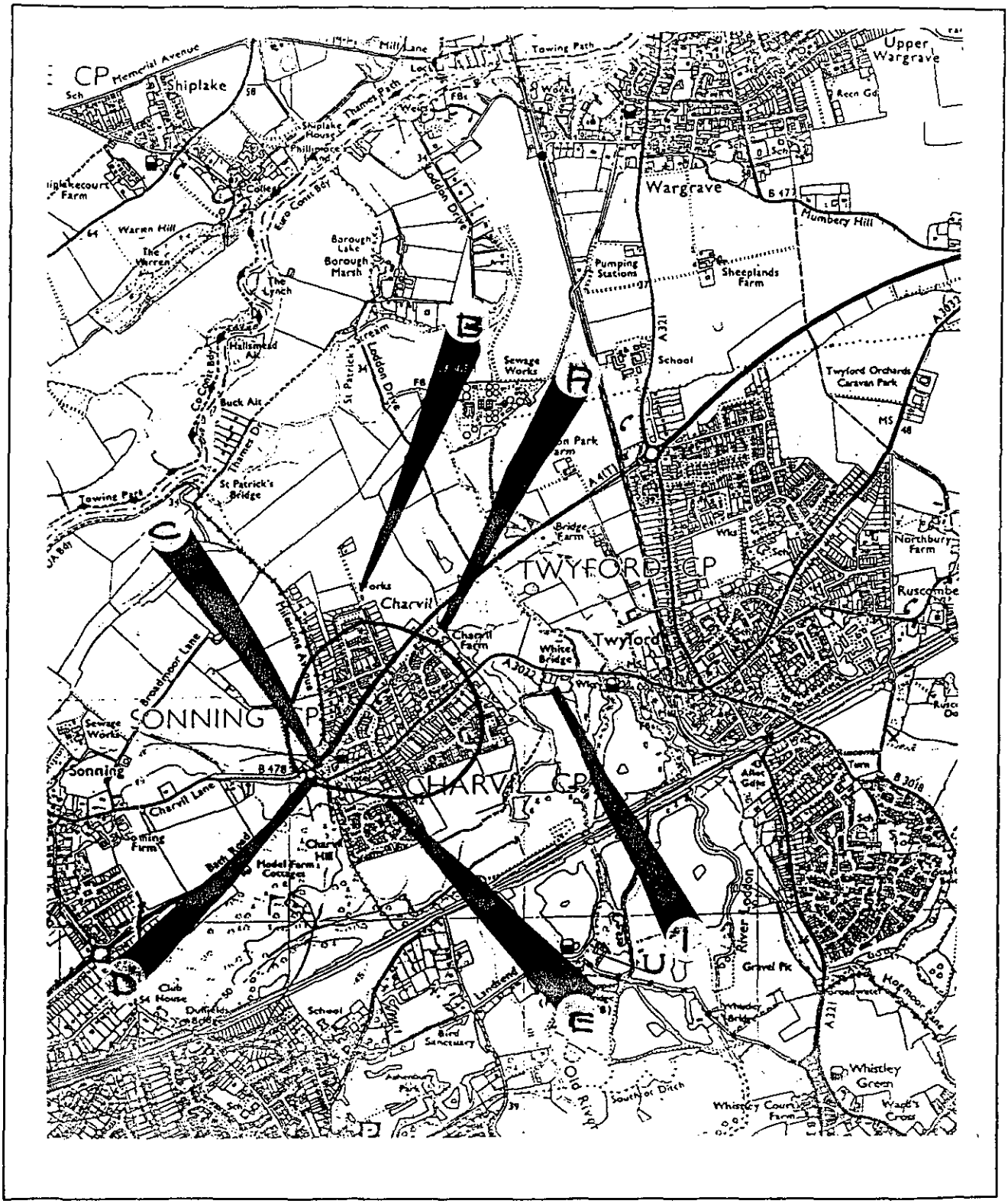
A·P·T

BTcellnet



Cell: 17452	- Charvil East.
Map: Explorer 159	

Chief Planning Officer
Wokingham District Council
Council Offices
Shute End
Wokingham
RG11 1BN

Our Ref: 17452
13 December 2000

Sent by Recorded Delivery

Dear Sir or Madam:

NOTICE OF PERMITTED DEVELOPMENT PROPOSED BY TELECOM SECURICOR CELLULAR RADIO LTD AT OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ.

Please find enclosed a Notice of Permitted Development for the installation of a radio base station at the above site. My client is proposing to erect one 12.5-metre mast complete with three dual polar antennas and one radio equipment housing.

Our client Telecom Securicor Cellular Radio Ltd (BTCellnet) is a Public Telecommunications Code System Operator licensed by the Department of Trade and Industry to provide a personal communications network to the whole of the United Kingdom. In order to achieve this a planned network of interacting cells of varying sizes is required and is essential to ensure a high standard of service. The mobile telephone is a tool now used in every arena of daily life. In light of the growth of telecommunications, sites need to be established to provide radio signal coverage to residential and business settings, for leisure and industry, and to metropolitan and rural locations. This means the search areas can be quite small because the installations are serving specific areas of the community.

Ideally the radio base station should be located at the cell nominal but due to many reasons this is often not achievable. Therefore our clients allow a degree of tolerance in regard to the area to be surveyed and this is known as the search area. However, the distance it can be located from the cell centre is limited by the need to achieve an efficient distribution of cells avoiding the signals between cells utilising the same frequency.

The village of Charvil has been designated, as an area where a radio base station is required in order to provide radiotelephone coverage to the surrounding area. It is also required to provide a contiguous service to my clients' network.

...Cont'd...

Our brief as consultants to BTCellnet is to survey the designated area to locate a suitable Radio Base Station site. When looking for sites there are a number of important considerations that are taken into account:

1. **The radio implication of the site:** Radio signals are transmitted through the network by using fixed links at such frequencies that necessitate an uninterrupted line of site. To achieve this the installation must reach a sufficient height above surrounding buildings and trees.

2. **Land availability:** The site is dependent upon landowners' willingness to see their property used for this purpose.

3. **Planning:** Every effort is made to ensure that the best site is chosen in relation to its planning characteristics, for instance, the effect on the amenity of the adjoining property, the availability of effective screening etc. However, this is clearly constrained by the technical parameters of the system and the land availability previously mentioned.

The search area is centred around the village of Charvil, which is located to the north of the A4. The installation is required to improve coverage along this stretch of road. The search area is predominately residential. Please find enclosed a map, which shows the area that was surveyed with the possible options investigated indicated as (1), A,B,C,D & E.

A thorough investigation of the search area was carried out, this revealed several possible sites for a telecommunications installation. Possible sites at Charvil Farm (Option A), agricultural land (Option B) and Charvil village hall, (Option E) were all discounted due to the landowners not being interested in have a telecommunications installation on their land. The Moorland Lodge Motel and Texaco Petrol filling station have both been discounted due to their close proximity to housing. No other sites were identified in the area as being suitable for telecommunication purposes.

The proposed site at Old Bath Road is one site that meets the necessary criteria. The site is located in an area that will provide coverage to the intended region. The site provider is willing to have a radio base station on his land and access to the site is good. The buildings and backdrop of the mature trees will also provide good screening to the compound and lower section of the proposed mast. The Mast and equipment cabin can also be painted to any BS colour to further ameliorate the development

I trust that this information will be helpful in reaching decision on this application but if more information or a site visit is required please do not hesitate to contact me.

Yours faithfully

Russell Price
On behalf of Telecom Securicor Cellular Radio Ltd.
Direct line: 01276 605016

Chief Planning Officer
Wokingham District Council
Council Offices
Shute End
Wokingham
RG11 1BN

Our Ref: 17452
13 December 2000

Sent by Recorded Delivery

Dear Sir or Madam:

APPLICATION UNDER CONDITION A.2 (4A) OF PART 24 OF SCHEDULE 2 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 & THE TOWN AND COUNTRY PLANNING (AMENDMENT) ORDER 1999 FOR PERMITTED DEVELOPMENT PROPOSED BY TELECOM SECURICOR CELLULAR RADIO LTD AT OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ.

Telecom Securicor Cellular Radio Ltd. is licensed to provide a Communications Network within the United Kingdom. In order to facilitate this the Company has been conferred the status of Public Telecommunications Code System Operator. Cellular Radio Systems are designated as Public Telecommunication Systems under Section 9 of the Telecommunication Act 1984.

We are writing on behalf of Telecom Securicor Cellular Radio Ltd. to make application under A.2 (4A) of the above order. We attach a plan (No. P/17452/GEN/001, 002, 003, 003.1 & 004) showing the proposed installation together with a cheque for £35.00 (thirty-five pounds). Also attached is a copy of the site notice displayed in accordance with sub-paragraph (ii) of the above legislation and a plan indicating where it is displayed. Please note this application only relates to those components of the installation listed under (4) (b) & (4A)(a).

Should you wish to discuss the proposals in greater detail please do not hesitate to contact the undersigned.

Yours faithfully

Russell Price
On behalf of Telecom Securicor Cellular Radio Ltd.
Direct line: 01276 605016

Chief Planning Officer
Wokingham District Council
Council Offices
Shute End
Wokingham
RG11 1BN

Our Ref: 17452
13 December 2000

Sent by Recorded Delivery

LICENCE NOTICE

Dear Sir or Madam:

NOTICE OF PERMITTED DEVELOPMENT PROPOSED BY TELECOM SECURICOR CELLULAR RADIO LTD. FOR THE ERECTION OF ONE 12.50-METRE MAST COMPLETE WITH THREE DUAL POLAR ANTENNAS AND ONE RADIO EQUIPMENT HOUSING AND DEVELOPMENT ANCILLARY THERETO AT OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ.

Telecom Securicor Cellular Radio Ltd. is licensed to provide a Communications Network within the United Kingdom. In order to facilitate this, the Company has been conferred the status of Public Telecommunications Code System Operator. Cellular Radio systems are designated as Public Telecommunication Systems under Section 9 of the Telecommunications Act 1984.

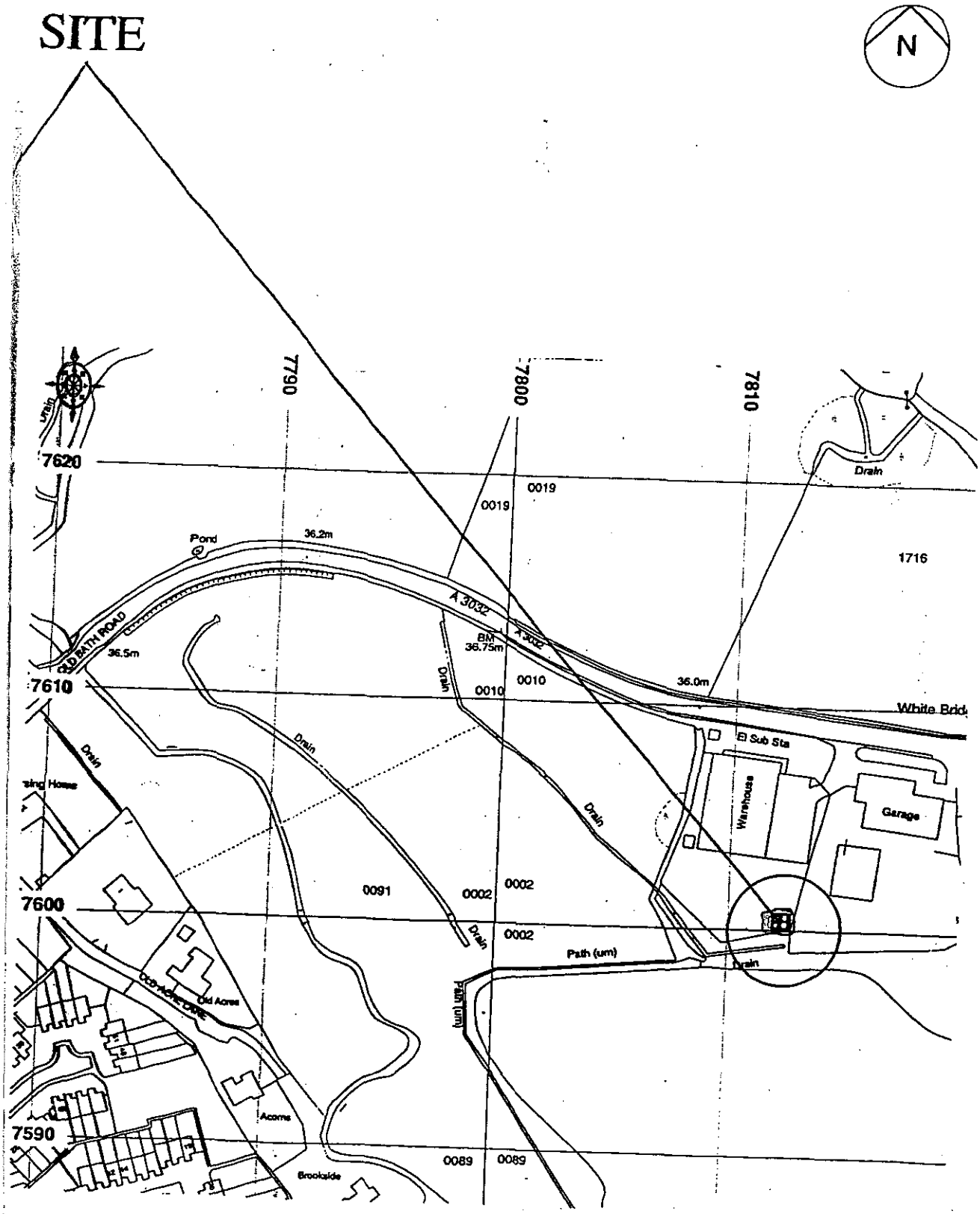
As a condition of their operating licence, Telecom Securicor Cellular Radio Ltd. is obliged to advise you of their intention to carry out the development specified above and as shown on the attached plan (No. P/17452/GEN/001, 002, 003, 003.1 & 004). The proposal constitutes permitted development under Class A Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 & the Town and Country Planning (Amendment) Order 1999. Accordingly we hereby provide you with 42 days Notice of our intention to carry out the development as described above.

Yours faithfully

Russell Price
On behalf of Telecom Securicor Cellular Radio Ltd.
Direct line: 01276 605016

Appendix 2 Site Location Plan

SITE



1:1,250

Ground Height: 33 m A.M.S.L.
Grid Reference: SU 7812 7600
Site Address: Old Bath Road
Charvil
Reading
Berkshire
RG10 9QJ

Appendix 3 Copy of Decision Notice

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

REFUSAL OF PRIOR APPROVAL OF TELECOMMUNICATIONS NOTIFICATION

Mr R Price
APT
Dolphin House
Albany Park
Camberley
Surrey
GU16 7QH

Notification No: TL/2000/2981

Parish: Charvil

Proposal: Proposed erection of 12.5 metre high mast with three dual polar antennas and one radio equipment housing.

Location: Land rear of Taylor Freezer (UK) Plc, Old Bath Road, Charvil.

The Wokingham District Council in pursuance of their powers under Part 24 of the Town and Country (General Permitted Development) (Amendment) Order 1998 **REFUSES** prior approval for the above stated telecommunications equipment, the reasons for which are specified hereunder.

1. The proposal is unacceptable in view of its proximity to places of work.

Date: 22 January 2001

Development Control Manager

Appendix 4 Letter to Local Planning Authorities from Former Minister for Planning (June 2000).

FROM NICK RAYNSFORD MP
MINISTER FOR HOUSING AND PLANNING

DETR
ENVIRONMENT
TRANSPORT
REGIONS

Council Leaders in England

E-Mail: nick_raynsford@detr.gsi.gov.uk

29 JUN 2000

Dear Leader

MOBILE TELECOMMUNICATIONS MASTS – HEALTH AND PLANNING ISSUES

Last year my predecessor, Richard Caborn, and the then Minister for Public Health, Tessa Jowell, wrote to you in response to public concern about the possibility of health effects associated with telecommunications base stations. That letter explained that the Government had asked the National Radiological Protection Board (NRPB) to set up the Independent Expert Group on Mobile Phones (IEGMP), chaired by Sir William Stewart FRS FRSE. The Group's report was published on 11 May. I thought it would be helpful to write to you again to explain what the Government is doing to take forward the planning recommendations, and to reiterate how local planning authorities should treat applications for mobile phone development in the meantime.

In respect of base stations, the report concludes that "the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines. However, there can be indirect adverse effects on their well-being in some cases". The Group recommended a precautionary approach, comprising a series of specific measures, to the use of mobile phone technologies until we have more detailed and scientifically robust information on any health effects.

In its initial response, published on 11 May, the Government welcomed the Stewart Group's report and accepted many of its recommendations. Copies of the response were sent to all Chief Planning Officers on 11 May. In particular, the Government accepted the recommended precautionary approach as advised by the report. The Government's response outlined the range of actions being taken forward in response to the report's specific recommendations.

On the planning aspects, the response indicated that we are minded to introduce a requirement for application for full planning permission for all new telecommunication masts, and will consult widely before doing so, including on the principle and precise scope of any new arrangements. We shall issue a consultation paper on this and related guidance as soon as practicable. We aim to do this by the end of July.

In the meantime, until any new measures and guidance are introduced, local planning authorities should continue to deal with planning applications for telecommunications on the basis of the current legislative arrangements and policy guidance. We have heard that some authorities have unilaterally imposed a ban or moratorium on mobile phone applications on health grounds. In the Government's view such a blanket decision is wholly unjustified.

INVESTOR IN PEOPLE

The Group's report does not recommend a ban or moratorium on the construction of mobile phone masts and we have no plans to introduce one. What the report does do is make some specific recommendations for precautionary action for the use of mobile technology. As I mentioned above, in its response to the Group's report, the Government indicated that it accepts the precautionary approach advised by the Group. Our acceptance of a precautionary approach is limited to the specific recommendations in the Group's report and the Government's response to them. It does not mean that individual local authorities should introduce their own precautionary policies for determining applications for mobile phone base stations. This is a recipe for confusion and uncertainty.

We have been asked how local planning authorities should take into account health concerns. Health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision-maker (usually the local planning authority) to determine what weight to attach to such considerations in any particular case. In doing so, authorities may have regard to the Group's report.

Our revised guidance will include advice about health considerations, and what weight may be given to them. In the meantime, local planning authorities are advised to bear in mind the findings of the report and its recommendations. It is our view that, if a proposed development meets the ICNIRP guidelines (as recommended by Stewart on a precautionary basis), it should not be necessary for a planning authority, in processing an application, to consider the health effects further. Most existing base stations already meet those guidelines and we expect all new base stations to do so.

I enclose a copy of this letter for the chair of your Planning Committee. I should be grateful if you would also bring it to the attention of other Members of your Council.

A copy of this letter goes to all Members of Parliament in England.

Yours Sincerely

Nick Raynsford

NICK RAYNSFORD

Appendix 5 Press Release from Former Minister for Planning (March 2001)

Department of the Environment, Transport and the Regions

News

News Release 142:
16 March 2001

Better public consultation on mobile phone masts

The Government today announced a series of important changes to the planning system on the siting of mobile phone masts.

Following public consultation on planning rules for telecommunications mast development last year, the Government is to:

- strengthen public consultation requirements on mast proposals of 15 metres and below so that they are exactly the same as applications for planning permission
- increase the time for authorities to deal with prior approval applications to 56 days
- underline that school governors must be consulted on all proposals for new masts on or near a school or college.
- increase fees to enable authorities to carry out full public consultation.
- maintain in full an authority's ability to reject applications on amenity grounds.

Announcing the changes, Planning Minister, Nick Raynsford, said:

> "These changes represent a considerable strengthening of the current planning arrangements. We shall introduce them, and revised planning policy guidance at the earliest opportunity. A modern communications system brings massive benefits to people and businesses. But it is vital that the masts which enable the service to be delivered are designed and sited sensitively so that their environmental impact is kept to a minimum and that local people have a better chance to have their say."

In answer to a Parliamentary Question from Angela Smith MP (Basildon), Nick Raynsford said:

> "A modern communications system brings massive benefits to people and businesses alike. Nearly 40 million people - 60% of the UK population - use mobile

phones. They enjoy the convenience and accessibility they provide. Parents and children feel more secure because of them. Mobile phones have saved lives - they allow the emergency services to be called immediately when they are needed. None of this could happen without the masts and other infrastructure which enable the service to be delivered."

"But people are concerned about where masts are located. It is vital that masts are designed and sited sensitively so that their environmental impact is kept to a minimum. Local people must have a better opportunity than now to have their say on proposals for mast development."

"We recognise too that there is public concern about the possibility of health effects associated with mobile phone masts. That is why the Government set up the Independent Expert Group on Mobile Phones (chaired by Sir William Stewart) which published its report in May last year. The report suggested that the current planning requirements for masts of 15 metres and below did not allow adequate public consultation. It further suggested that lack of consultation was a major cause of grievance in people who suffer a loss of amenity when base stations are erected."

"We therefore intend to strengthen the current public consultation requirements for masts of 15m and under to incorporate exactly the same requirements as for masts over that size and for other development requiring applications for planning permission."

"To give local planning authorities more time to consult local people we shall increase the amount of time they have to determine prior approval applications for ground-based masts and those on buildings from 42 and 28 days respectively to a uniform 56 days. In addition, we shall extend the prior approval arrangements to cover antennas on roofs where the height of the antenna (including any supporting structure) would exceed 4m."

"Under the new arrangements, local planning authorities will be expected to make their decisions within 56 days. Authorities will still be able to turn down mast applications where they do not consider amenity aspects have been adequately addressed. If they have not made a decision within 56 days, approval will be deemed to have been granted. This discipline is needed because many authorities are failing to meet their Best Value target to determine 80% of planning applications in 8 weeks and delay cannot be justified."

"In recognition of the extra demands which improved consultation will make of authorities we propose to increase the fee payable by developers for prior approval applications from £35 to £190 so that authorities have more resources to handle them."

"These changes represent a considerable strengthening of the current arrangements. We shall introduce them, and revised national planning policy guidance, at the earliest opportunity. The guidance will underline our commitment to encouraging mast and site sharing, where that represents the best environmental solution, to minimise proliferation of masts. It will also emphasise the Government's view that telecommunications development must be taken forward through partnership between the operator, the local planning authority and the local community. The revised guidance will make clear that governing bodies must be consulted on all proposals to site masts on or near schools and colleges."

"We welcome the commitments which the operators have made to develop, with other stakeholders, clear standards and procedures to deliver significantly improved consultation with local communities. For example, operators will initiate the process as early as possible by discussing optimum design and siting solutions even before applications for masts are submitted. We shall want to ensure that these commitments are implemented and followed in every case. We will underpin the arrangements with a new Code of Practice developed with the operators and representatives of local government. I intend to call in the operators shortly to discuss next steps."

"The Stewart Report concluded that "the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines." Gaps in scientific knowledge led the Group to recommend a precautionary approach to the use of mobile phone technologies, comprising a series of specific measures, until more research findings become available. We agree with this approach."

"The Government has already taken forward a range of precautionary actions in response to the Group's Report. These include:

- ensuring that all mobile phones and base stations meet the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) for limiting exposure to electromagnetic

fields. In relation to public exposure these are tougher than the guidelines issued by the National Radiological Protection Board by a factor of five. Mobile phone operators have agreed to ensure that all existing base stations meet these guidelines. In addition, the operators have agreed that all planning applications for new development will be accompanied by a certificate of compliance with ICNIRP guidelines;

- setting up, by the Radiocommunications Agency, a national database giving details of mobile phone base stations. It is planned that the map-based facility will indicate the locations, height and maximum power outputs for each fixed transmitter. This is anticipated to be ready and on-line in the next three months;

- auditing mobile phone base stations and masts to assess emissions. The audit will focus on schools with base stations. Schools were asked to register if they wanted to be included. The audits have now begun and all schools registering within the deadline set will be included. The first eleven audits indicated maximum levels of exposure a tiny fraction of the ICNIRP guidelines (eg: the highest level was approximately 1/600 of the guideline levels). The database of results has been put on the Radiocommunications Agency website www.radio.gov.uk;

- launching a new joint Government/industry research programme, costing around £7 million and with an independent programme management committee led by Sir William Stewart. It will carry out research into the effects of mobile phone technology on health. This will ensure that this area is kept under review and that Government and the public are kept up to date with new research findings. The call for research proposals was issued on 9 February."

"In addition, the Department of Health has published leaflets on mobile phones, base stations and health to give people the latest information and advice. The Department for Education and Employment has also issued information to schools and local education authorities regarding mobile phones, base stations and schools. This has been published on their website www.dfee.gov.uk/a-z/mobilephones."

"It is the Government's responsibility to decide what

measures are necessary to protect public health. It remains the Government's firm view that the planning system is not the appropriate mechanism for determining health safeguards. I have outlined the measures being taken on a precautionary basis. In the Government's view, if a proposed development meets the ICNIRP guidelines it should not be necessary for a local planning authority, in processing an application, to consider the health aspects further. This view will be reiterated in our revised planning policy guidance."

"I believe that the improvements to the planning arrangements announced today meet the concerns of the Stewart Group and others about public consultation on masts and strike the right balance by giving people a better opportunity to voice their views without hindering unnecessarily the development of a modern telecommunications network. We shall continue to keep the whole area of mobile phone technologies under review in the light of further research."

Press Enquiries: 020 7944 3049; out of hours: 020 7944 5925 / 5945;
E-mail: press@detr.gov.uk
Public Enquiries: 020 7944 3000

Published 16 March 2001

Return to Current News Index

Return to DETR Home Page

Web Site Terms

Appendix 6 Relevant Structure Plan Policies.



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

Public Services Division

11 TELECOMMUNICATIONS AND RENEWABLE ENERGY

11.1 This chapter deals with two subject areas, telecommunications and renewable energy, which are covered in Government guidance contained in Planning Policy Guidance Notes 8 'Telecommunications' and 22 'Renewable Energy'.

11.2 PPG8 sets out the benefits of telecommunications and advises that the Government's general policy is 'to facilitate the growth of new and existing systems' while maintaining commitment to environmental objectives. It provides guidance on the form and particular requirements of telecommunications development, and Policy TC1 below takes account of the growth and characteristics of modern telecommunications.

11.3 The benefits of providing energy from renewable sources are emphasised in Government advice (PPG22). In Chapter 3 of this Plan, the importance of resource conservation is stressed, being a key element of a sustainable approach to development. Renewable energy sources play an important role in conserving non-renewable resources and reducing harm to the global environment.

Telecommunications Development

11.4 Telecommunications developments include radio relay stations, base stations, antennas and masts. The technology continues to develop, and can generate environmental benefits; for instance, they can help to reduce the need to travel, both in terms of journeys to work and the transfer of information. However, telecommunications equipment can itself be environmentally intrusive, especially if it is poorly sited.

11.5 A balance will be sought between the growth of telecommunications developments and their impact on the environment. The aim is to respond positively to telecommunications development proposals, in line with government guidance, whilst taking account of technical considerations, other policies designed to preserve and enhance the environment, and the environmental benefits that may accrue.

Assessment of Proposals for Telecommunications Development

Policy TC1 **Planning permission will normally be granted for telecommunication development. Where there is potential conflict with environmental objectives telecommunications development will be allowed provided:**

i) **it is sited and designed so as not to result in significant adverse visual impact, subject to operational and technical requirements;**

ii) **there are no satisfactory alternative sites for telecommunications available;**

iii) **there is no reasonable possibility of sharing existing facilities; and**

iv) **in the case of radio antenna and masts there is no reasonable possibility of erecting antennae on an existing building or other structure.**

11.6 In considering the acceptability of a proposal in relation to these criteria, the following factors will be relevant:

- the need to protect the best and most sensitive environments, in particular within the North Wessex Downs AONB and Areas of Special Landscape Importance;
- the significance of the proposed development as part of a national network, and the implications for subsequent network development;
- the need to minimise visual impact.

Renewable Energy

11.7 Renewable energy refers to those "energy flows that occur naturally and repeatedly in the environment - from the sun, wind and oceans, and from plants and the fall of water. It also refers to energy available in wastes and from within the earth itself" (ETSU[1]). Renewable energy can be derived from schemes involving : wind power; landfill gas; hydro-electric power; energy from crops and forestry; solar; and waste combustion.

11.8 There are many advantages to using these renewable energy sources, since for the most part the energy generated causes no harmful gaseous emissions. In addition, using renewable energy can assist in reducing the demand for fossil fuels such as coal, gas and oil, and thereby reduce the potential for pollution. For example, passive solar gain in residential developments can, through good design and layout, reduce conventional fuel demand by 12%.

11.9 For these reasons renewable energy is being given increasingly serious consideration as an alternative energy source, with Government policy encouraging such schemes, providing they are economically attractive and environmentally acceptable. This encouragement includes the Non-Fossil Fuel Obligation (NFFO) introduced by the 1989 Electricity Act. The NFFO requires regional electricity companies to purchase a proportion of their electricity from non-fossil fuel sources.

11.10 Given the environmental constraints in Berkshire, the opportunities for developing some renewable energy schemes may well be limited. For example, the physical development associated with renewable energy schemes such as wind farms and waste to energy processes have a potentially serious environmental impact. Therefore a balance has to be achieved between the benefits of harnessing renewable energy and the impact on the Berkshire environment.

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1 *ETSU manage the Government's new and renewable energy programme on behalf of the Department of Trade and Industry*

Appendix 7 Relevant Local Plan Policies

Wokingham **District Local Plan**

Deposit Draft 1997

WOKINGHAM DISTRICT PLAN

1996 - 2006

f) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

g) OTHER DEVELOPMENT APPROPRIATE TO THE COUNTRYSIDE WHICH CANNOT BE ACCOMMODATED WITHIN A SETTLEMENT.

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN, CHARACTER, TO ITS LOCATION IN THE COUNTRYSIDE AND BE CONSISTENT WITH OTHER POLICIES IN THIS PLAN (SUCH AS NATURE CONSERVATION) AND ANY SUPPLEMENTARY PLANNING GUIDANCE.

THE CLOSING OF GAPS OR THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS IN THE CHARACTER OF AN AREA WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

2.24 As a result of the density of development and the variety of settlements that characterise the plan area, it is essential that the separate identity of these settlements is maintained by keeping real 'green wedges' and 'gaps' between them. Policy C6 of the Berkshire Structure Plan 1991 - 2006 states that the 'green wedges' and 'gaps' will be defined in local plans. The areas in question are set out on the proposals map supporting this plan. Some of these gaps are more vulnerable than others and any built development could undermine their importance. Where specific landscape features such as trees or hedgerows may be compromised measures for positive landscape management will be sought, where possible.

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements

2.26 The areas included in the green wedges and gaps policy have been identified previously in the adopted local plans as areas important to the separation of settlements. These are retained except where specific proposals require a change, e.g. the new settlement identified at Grazeley, south of the M4.

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements issues were kept distinct in policy terms. This could lead to confusion arising from a multiplicity of designations on areas shown on the current proposals map. As a result this has been reviewed and a need to simplify the proposals map recognised.

2.28 The green wedges and gaps designation is now shown on those areas that had either a dual settings and separation of settlements function, or the separation of settlements designation only, in the adopted local plans. Where an area was only important to the setting of settlements, these areas will remain subject to a separate policy found in the Landscape section of this chapter (Policy WLL6).

2.29 Major development in the wider tracts of open countryside could create further development pressures leading to the coalescence of settlements. The open land between Wokingham and Crowthorne to the east of the Reading/Guildford railway line is subject to particular pressures and is therefore identified in the Structure Plan supporting text (para. 5.28) to Policy C6. The Council will continue to protect the wider tracts of open countryside between other settlements, such as between Wokingham, Hurst and Twyford.

POLICY WCC2: GREEN GAPS AND WEDGES (OUTSIDE THE METROPOLITAN GREEN BELT)

IN SEEKING TO MAINTAIN A CLEAR SEPARATION OF SETTLEMENTS WITHIN THE PLAN AREA, DEVELOPMENT WILL NOT BE PERMITTED IN THE GREEN GAPS AND WEDGES THAT WOULD AFFECT OR DETRACT FROM THEIR OPEN OR COUNTRYSIDE APPEARANCE AND CHARACTER. THESE AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS AND THE COUNTRYSIDE SETTING THEY PROVIDE FOR THEM.

EXISTING SETTLEMENT BOUNDARY FEATURES SUCH AS WOODLANDS, COPSES AND HEDGEROWS SHOULD BE RETAINED AND, WHERE POSSIBLE, ENHANCED. POSITIVE MANAGEMENT OF LANDSCAPE FEATURES THAT CONTRIBUTE TO THE SEPARATION OF SETTLEMENTS WILL BE ENCOURAGED.

ANY DEVELOPMENT ADJOINING AREAS IMPORTANT TO THE SEPARATION OF SETTLEMENTS MUST NOT UNDERMINE THOSE BOUNDARY FEATURES IMPORTANT TO THE LANDSCAPE.

THE GREEN GAPS AND WEDGES ARE IDENTIFIED ON THE PROPOSALS MAP.

Implementation: The development control process, encouragement and advice to landowners.

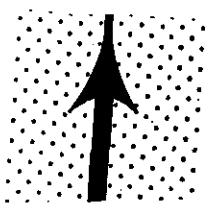
Monitoring: Impact of planning consents and number of positive management actions achieved.

Central Berkshire Forest

2.30 This Council has been developing the principles of landscape enhancement on the edges of the built-up areas through its Community Woodland programme in the Loddon Valley. The Berkshire Structure Plan 1991 - 2006 includes a proposal for a 'new forest' in the central part of Berkshire.

2.31 A study has been undertaken of how and where the Community Woodland concept can be expanded into other areas where there would be a positive benefit from an increase in tree cover and thereby contribute to the concept of the new forest. The study has established a search area, outside the Metropolitan Green Belt, which includes:

- the Earley sectors of the Community Woodland
- the critical gaps between Woodley, Earley and Winnersh
- the mineral degraded landscapes of the middle Loddon Valley
- the Lower Loddon, between the A4 and the Thames
- weak settlement edges and areas important to the setting and separation of settlements
- the A329(M) and M4 corridors.



UTILITIES INFRASTRUCTURE

11.28 Public utility services include infrastructure works for electricity, gas, water supply, sewerage and telecommunications services. All these services are provided by private sector companies and the Council has a limited control over their activities. Development for operational needs will generally be supported. The local planning authority has also liaised with services providers in respect of the plan's policies that could help service provision.

POLICY WIC13: PUBLIC UTILITIES

PROPOSALS FOR DEVELOPMENT REQUIRED FOR THE OPERATIONAL NEEDS OF PUBLIC UTILITIES WILL BE SUPPORTED SUBJECT TO THEIR ACCEPTABILITY ON ENVIRONMENTAL AND AMENITY GROUNDS IN ACCORDANCE WITH OTHER RELEVANT POLICIES AND PROVISIONS OF THE PLAN. IN CONSIDERING PROPOSALS THE COUNCIL WILL TAKE INTO ACCOUNT EXISTING LEVELS OF INFRASTRUCTURE, TECHNICAL AND OPERATIONAL REQUIREMENTS, THE OPPORTUNITIES FOR SHARING FACILITIES AND APPROPRIATE PHASING OF DEVELOPMENT.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Telecommunications

11.29 PPG 8 *Telecommunications* states that local planning authorities should respond positively to telecommunications development proposals. However where possible existing masts and equipment should be used in order to avoid impact on amenities.

11.30 Telecommunications are being promoted as being important and therefore interference as a result of development must be minimised. Large structures can result in physical obstruction, or reflection, of above ground signals and therefore interference to existing networks can be a material consideration in determining a planning application.

11.31 On major new developments developers will be encouraged to allow for the future telecommunications needs of occupants and make provision for necessary equipment. Communal provision will be expected on larger developments to reduce the proliferation of aerials. In addition operators will be encouraged to remove telecommunications structures that have become redundant.

POLICY WIC14: ASSESSMENT OF PROPOSALS FOR TELECOMMUNICATIONS DEVELOPMENT

PLANNING PERMISSION WILL BE GRANTED FOR TELECOMMUNICATIONS DEVELOPMENT PROVIDED THAT IT IS IN ACCORDANCE WITH POLICY TC1 OF THE BERKSHIRE STRUCTURE PLAN 1991 - 2006. IN ADDITION THE COUNCIL WILL CONSIDER 'PRIOR NOTIFICATION' SUBMISSIONS IN ACCORDANCE WITH

Cont.

POLICY WOS3 AND OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN. THE COUNCIL WILL ALSO SEEK TO SECURE THE REMOVAL OF ANY TELECOMMUNICATIONS APPARATUS THAT IS NO LONGER REQUIRED FOR ITS ORIGINAL PURPOSE.

Implementation: Through the development control process.

Monitoring: Planning applications and prior notifications determined.

Recycling

11.32 Recycling and Sustainable Development are important issues and the Government recognises that the planning system has a role to play in weighing the interests of economic development and environmental protection. The Council has a recycling plan (approved by the Department of the Environment in 1992). It aims to achieve a 25% recycling target of all household waste generated in this District by the year 2000. The County Council adopted a *Waste Management Plan for Berkshire* in 1995. Its strategy is based on waste minimisation, re-use and recycling, and the treatment of waste to produce useful products. In addition to this the County Council has produced a *Waste Local Plan*, which is a land use plan setting out policies and proposals for new waste facilities that seek to ensure minimal harm to the environment and the public. The Berkshire Structure Plan 1991 - 2006 contains a policy that seeks provision of recycling facilities on site or a contribution to them elsewhere as is appropriate to the development proposed. Development proposals will be expected to take account of recycling policies contained within the Berkshire Structure Plan 1991 - 2006 and the Waste Local Plan.

WATER AND SEWERAGE

Water Quality

11.33 The quality of water is an increasingly important area of concern. Deteriorating water quality can affect the supply of water for domestic, industrial and agricultural uses and general amenity. The Council should therefore restrict development that would threaten surface and ground water quality. The Environment Agency has published ground water vulnerability maps, which identify areas requiring protection from potentially polluting activities.

POLICY WIC 15: SURFACE AND GROUND WATER PROTECTION

THE COUNCIL WILL (FOLLOWING CONSULTATION WITH THE ENVIRONMENT AGENCY) RESIST DEVELOPMENT THAT COULD ADVERSELY AFFECT THE QUALITY OF SURFACE AND GROUND WATER AS A RESULT OF THE NATURE OF SURFACE OR WASTE WATER DISCHARGE, OR GIVE RISE TO POLLUTION PROBLEMS AS A RESULT OF DISTURBANCE TO CONTAMINATED LAND.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined.

Surface Water Run-Off

11.34 Unless carefully sited and designed, new development can increase run-off by the addition of impermeable surfaces such as roofs and paved areas. This can result in increased risk of flooding downstream and damage to the water environment. Where possible the Council will encourage permeable surfaces, in parking areas for example.

Flood Plains

11.35 The Environment Agency has statutory responsibilities for water resources, pollution control, flood defence, fisheries, recreation, conservation and navigation. New development can cause flooding, pollution and erosion of areas located downstream. Accordingly development will be restricted in areas liable to flood and in locations that would result in an increased flood risk in areas downstream. In preparing flood compensation schemes consideration should be given to the primary use of the land. Flood compensation schemes will not be acceptable within residential curtilages unless it can be demonstrated that the main use as a garden would not be affected.

POLICY WIC16: DEVELOPMENT IN FLOOD PLAINS

IN AREAS LIABLE TO FLOOD DEVELOPMENT WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE COUNCIL, IN CONSULTATION WITH THE ENVIRONMENT AGENCY THAT, BY ITSELF, OR CUMULATIVELY WITH OTHER DEVELOPMENT, IT WILL NOT:

a) IMPEDE THE FLOW OF FLOOD WATER; OR

b) REDUCE THE CAPACITY OF THE FLOOD PLAIN TO STORE WATER; OR

c) INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK FROM FLOODING.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined within flood areas.

POLICY WIC17: SURFACE WATER RUN-OFF LIABLE TO CAUSE FLOODING

PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW DEVELOPMENT OR REDEVELOPMENT OF EXISTING URBAN AREAS IF SUCH DEVELOPMENT WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE WATER RUN-OFF. WHERE DEVELOPMENT IS PERMITTED THAT IS LIKELY TO INCREASE THE RISK OF FLOODING, IT MUST INCLUDE APPROPRIATE ATTENUATION MEASURES DEFINED BY THE COUNCIL IN CONSULTATION WITH THE ENVIRONMENT AGENCY.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined.



Wokingham District Local Plan

Deposit Draft 1997

Consolidated Document November 1999

November 1999

UTILITIES INFRASTRUCTURE

11.28 Public utility services include infrastructure works for electricity, gas, water supply, sewerage and telecommunications services. All these services are provided by private sector companies and the Council has a limited control over their activities. Development for operational needs will generally be supported. The local planning authority has also liaised with services providers in respect of the plan's policies that could help service provision.

POLICY WIC13: PUBLIC UTILITIES

PROPOSALS FOR DEVELOPMENT REQUIRED FOR THE OPERATIONAL NEEDS OF PUBLIC UTILITIES WILL BE SUPPORTED SUBJECT TO THEIR ACCEPTABILITY ON ENVIRONMENTAL AND AMENITY GROUNDS IN ACCORDANCE WITH OTHER RELEVANT POLICIES AND PROVISIONS OF THE PLAN. IN CONSIDERING PROPOSALS THE COUNCIL WILL TAKE INTO ACCOUNT EXISTING LEVELS OF INFRASTRUCTURE, TECHNICAL AND OPERATIONAL REQUIREMENTS AND THE OPPORTUNITIES FOR SHARING FACILITIES.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Telecommunications

11.29 PPG 8 *Telecommunications* states that local planning authorities should respond positively to telecommunications development proposals. However where possible existing masts and equipment should be used in order to avoid impact on amenities.

11.30 Telecommunications are being promoted as being important and therefore interference as a result of development must be minimised. Large structures can result in physical obstruction, or reflection, of above ground signals and therefore interference to existing networks can be a material consideration in determining a planning application.

11.31 On major new developments developers will be encouraged to allow for the future telecommunications needs of occupants and make provision for necessary equipment. Communal provision will be expected on larger developments to reduce the proliferation of aerials. In addition operators will be encouraged to remove telecommunications structures that have become redundant.

POLICY WIC14: ASSESSMENT OF PROPOSALS FOR TELECOMMUNICATIONS DEVELOPMENT

PLANNING PERMISSION WILL BE GRANTED FOR TELECOMMUNICATIONS DEVELOPMENT PROVIDED THAT IT IS IN ACCORDANCE WITH POLICY TC1 OF THE BERKSHIRE STRUCTURE PLAN 1991 - 2006 AND OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN. THE COUNCIL WILL ALSO SEEK TO SECURE THE REMOVAL OF ANY TELECOMMUNICATIONS APPARATUS THAT IS NO LONGER REQUIRED FOR ITS ORIGINAL PURPOSE.

BEFORE PERMISSION IS GRANTED, APPLICANTS WILL BE REQUIRED TO SHOW THAT NO ALTERNATIVE LESS VISUALLY INTRUSIVE SITE IS AVAILABLE OR TECHNICALLY FEASIBLE. CONDITIONS MAY BE IMPOSED TO REQUIRE PROVISION OF A SUITABLE SCREEN TO MITIGATE THE VISUAL IMPACT OF THE APPARATUS.

Cont.

THE COUNCIL WILL EXERCISE ITS OPTION TO REQUIRE PRIOR APPROVAL IN AREAS DESIGNATED IN THIS PLAN AS BEING ENVIRONMENTALLY SENSITIVE, WITHIN 200 METRES OF ANY BUILDING REGULARLY USED BY PEOPLE AND IN OPEN COUNTRYSIDE WHERE IT WOULD APPEAR ABOVE THE SKYLINE.

Implementation: Through the development control process.

Monitoring: Planning applications and prior notifications determined.

11.31a For the purposes of policy WIC 14 the areas which are designated as being environmentally sensitive are Areas of Special Landscape Importance, The Thames Valley, Sites of Urban Landscape Value, Local Nature Reserves, Wildlife Heritage Sites, The Green Belt, Conservation Areas, Areas of Special Character, Historic Parks and Gardens, Listed Buildings, Archaeological Sites, Ancient Monuments, Greenways, Green Routes and areas which form the setting of these areas.

Recycling

11.32 Recycling and Sustainable Development are important issues and the Government recognises that the planning system has a role to play in weighing the interests of economic development and environmental protection. The Council has a recycling plan (approved by the Department of the Environment in 1992). It aims to achieve a 25% recycling target of all household waste generated in this District by the year 2000. The County Council adopted a *Waste Management Plan for Berkshire* in 1995. Its strategy is based on waste minimisation, re-use and recycling, and the treatment of waste to produce useful products. In addition to this the County Council has produced a *Waste Local Plan*, which is a land use plan setting out policies and proposals for new waste facilities that seek to ensure minimal harm to the environment and the public. The Berkshire Structure Plan 1991 - 2006 contains a policy that seeks provision of recycling facilities on site or a contribution to them elsewhere as is appropriate to the development proposed. Development proposals will be expected to take account of recycling policies contained within the Berkshire Structure Plan 1991 - 2006 and the Waste Local Plan.

WATER AND SEWERAGE

Water Quality

11.33 The quality of water is an increasingly important area of concern. Deteriorating water quality can affect the supply of water for domestic, industrial and agricultural uses and general amenity. The Council should therefore restrict development that would threaten surface and ground water quality. The Environment Agency has published ground water vulnerability maps, which identify areas requiring protection from potentially polluting activities.

POLICY WIC15: SURFACE AND GROUND WATER PROTECTION

THE COUNCIL WILL (FOLLOWING CONSULTATION WITH THE ENVIRONMENT AGENCY) RESIST DEVELOPMENT THAT COULD ADVERSELY AFFECT THE QUALITY OF SURFACE AND GROUND WATER AS A RESULT OF THE NATURE OF SURFACE OR WASTE WATER DISCHARGE, OR GIVE RISE TO POLLUTION PROBLEMS AS A RESULT OF DISTURBANCE TO CONTAMINATED LAND.

Implementation: Through development control process and in consultation with the Environment Agency.

Monitoring: Planning applications determined.

There have often been competing claims for the use of land, besides agriculture, in this part of Berkshire in the past, and they will be strengthened by the reduced role of agricultural production. The plan has a central role to play in achieving a rational balance between those claims.

1.3.06 Many of the policies are protective of the countryside and restrict new built development in accordance with the overall policy LTV1 of this Plan and Policy EN1 of the Replacement Structure Plan. The policies also seek to enhance the countryside in those areas where a land-use plan is able to do so.

EXPANSION OF EXISTING SETTLEMENTS

1.3.07 Some of the Housing and Employment policies allow for limited development of sites outside the identified settlements shown on the Proposals Map. It is important that where these are otherwise acceptable they should not prejudice the maintenance of the rural areas and the countryside in general terms. In addition to the general restriction of development in rural areas embodied in policy LTV2 there are, therefore, policies which apply to land on or close to the boundaries of the identified settlements and to land between settlements. The aims of these policies are:

a) to maintain, and where possible reinforce, a clear distinction between built-up areas and rural areas,

b) to ensure that new development either within or on the boundaries of built-up areas does not detract from the surrounding countryside,

c) to ensure that a physical and visual separation is maintained between distinct settlements.

1.3.08 The policies are based upon and complementary to Policies EN4, EN5 and EN6 of the Replacement Structure Plan and do not seek to repeat them. Particular consideration will be given to Policy EN4 which deals with the need to prevent development impinging unsatisfactorily on the surrounding countryside regardless of whether or not it is within one of the special categories outlined below.

1.3.09 Where there are distinct settlements, development on their boundaries or between them could, either visually or physically, damage their individual identities. Policy LC1 identifies the areas which are essential to the maintenance of physical and visual separation and makes it clear that development will not be permitted which would detract from that essential function. In some cases this will not include all of the intervening land between settlements but there may be other policies in the plan, in addition to LTV2, which make development equally unacceptable. In some areas the gap which already exists between settlements falls below that ideally required to maintain physical and visual separation. It is particularly important that what remains is fully protected and, where possible, made more effective.

1.3.10 In considering what areas should be included in Policy LC1, only gaps between identified settlements or between identified settlements and areas of sporadic development have been identified. At the smaller scale, development between areas of sporadic development would be equally unacceptable and on the larger scale, major developments in the wider tracts of open countryside between settlements could create new pressures for coalescence and be objectionable on that basis. The criteria used to identify the areas notated under policy LC1 are contained in Local Plan Working Paper Two which is available separately from this plan.

❖ *LC1 SEPARATION OF SETTLEMENTS*

IN SEEKING TO MAINTAIN A CLEAR SEPARATION OF SETTLEMENTS WITHIN THE PLAN AREA, DEVELOPMENT WILL NOT BE PERMITTED IN THE AREAS DEFINED ON THE PROPOSALS MAPS WHICH WOULD EITHER DETRACT FROM THE UNDEVELOPED APPEARANCE OR INTENSIFY EXISTING SPORADIC DEVELOPMENT. THESE

AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS. WHERE THE VISUAL OR PHYSICAL SEPARATION BETWEEN SETTLEMENTS IS NOT FULLY EFFECTIVE AT THE PRESENT TIME THE DISTRICT COUNCIL WILL SEEK TO ENHANCE VISUAL SEPARATION BY THE ENCOURAGEMENT OF TREE PLANTING OR OTHER APPROPRIATE MEANS.

1.3.11 In addition to protecting land because of its significance in separating settlements from each other it is proposed that areas of importance because of their character and appearance in relationship to adjoining built-up areas should also be protected. These areas of land are either an important part of the landscape setting of the settlement concerned, such as an open area or sloping land around it, or are areas of land which have an intimate relationship with the settlement and which are thus important to the retention of its character and setting. Examples are enclosed fields and paddocks which are an inherent part of the character of some of the settlements in the plan area.

❖ LC2 SETTING OF SETTLEMENTS

DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD DETRACT FROM THE OPEN OR RURAL APPEARANCE OF THE AREAS OF LAND DEFINED ON THE PROPOSALS MAPS WHICH ARE OF SPECIAL SIGNIFICANCE IN MAINTAINING THE LANDSCAPE SETTING OR THE INDIVIDUAL CHARACTER OF THE SETTLEMENTS.

AREAS OF SPECIAL LANDSCAPE IMPORTANCE

1.3.12 The landscape character of the local plan area is influenced by the rivers and streams which flow northwards to the Thames. In the northern part of the plan area, near the confluence of the rivers Thames and Loddon is a valley bottom landscape in which the town of Woodley and village of Sonning to the west and villages of Twyford and Wargrave to the east occupy slightly elevated positions. The River Loddon flows from the south joined by the Blackwater north of Swallowfield, through a wide open valley landscape, wholly agricultural in the south, but increasingly gravel and water dominated in the north. The slopes which flank the valley and wooded hill tops which form their crests are prominent in views from within the valley and across it.



1.3.13 A plan-wide landscape survey has identified two tracts of countryside within the plan area, at Farley Hill and Bearwood, as being of special importance in landscape terms. Both are wooded, hilltop areas which feature in views from large parts of the plan area. The criteria used to identify these areas and the alternative boundaries considered are contained in Local Plan Working Paper Three which is available separately from this plan. The following policies are intended to:

a) protect the areas of special landscape importance from development which would detract from their rural character and special landscape qualities;

b) enhance their rural character and landscape qualities by encouraging appropriate management;

c) protect them from development on land around them which would adversely affect their character and setting.

1.3.14 The areas identified represent the 'Other Areas of Special Landscape Importance' within the plan area referred to in Policy EN9 of the Replacement Structure Plan for Berkshire.

provision of services appropriate to the development to be linked with it. This will involve, in appropriate cases, the provision of land for built and open space facilities at no cost to the appropriate service authority and/or contributions in full or in part to the construction of new facilities or the extension or enlargement of existing facilities.

❖ LPS1 PHASING OF SERVICES IN NEW DEVELOPMENTS

WHERE DEVELOPMENT WHICH IS ACCEPTABLE IN PRINCIPLE UNDER THE POLICIES OF THIS PLAN GIVES RISE TO THE NEED FOR THE PROVISION OF NEW PUBLIC AND COMMUNITY SERVICES, PERMISSION WILL NOT BE GIVEN UNTIL THE DISTRICT PLANNING AUTHORITY IS SATISFIED, BY SEEKING A LEGAL AGREEMENT WHERE NECESSARY, THAT AN APPROPRIATE LEVEL OF INFRASTRUCTURE, SERVICES AND AMENITIES REQUIRED AS A CONSEQUENCE OF AND DIRECTLY RELATED TO THE DEVELOPMENT IS CAPABLE OF BEING AND WILL BE PROVIDED AT THE APPROPRIATE TIME IN THE DEVELOPMENT PROCESS.

UTILITIES

1.9.06 There is a need to ensure the economic planned provision of water, electricity, gas and telephone services in the area to meet the overall demands for future development. It is not anticipated that the provision of these services will pose significant difficulties within the plan area, unless there are significant changes in the characteristics of supply and demand. The plan's proposals seek to keep new development either within or immediately adjoining the main built-up areas of the settlements where these services are available. Further consideration will need to be given to the provision of these services at the stage of detailed proposals. The views of the providing bodies will be sought on development proposals as appropriate.

FOUL AND SURFACE WATER SEWERAGE

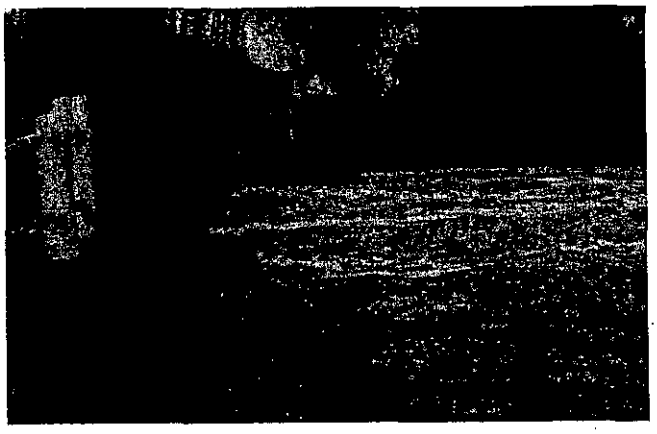
1.9.07 The District Council, as agent for Thames Water, is responsible for foul and surface water sewerage. For all new connections for domestic purposes, the developer will be required to pay a flat rate infrastructure charge as a contribution towards the cost of providing additional capacity in the general sewerage system, including treatment, as a consequence of his development. The developer will also be required to meet the cost of requisitioning any new sewers necessary to convey foul and surface water from the development into the existing sewerage system together with a connection charge for each premises connected. It will be necessary to ensure that sufficient time is allowed for the completion of infrastructure provision prior to occupation at all phases of development. Thames Water is consulted by the District Council on relevant planning applications so that it has the opportunity to satisfy itself that adequate sewerage and treatment facilities are or can be made available to serve the proposed development.

FLOODING AND THE WATER ENVIRONMENT

1.9.08 The National Rivers Authority (NRA), established by the Water Act 1989, seeks to maintain and where practicable, to restore the natural washlands of rivers and to reduce the danger of flooding. The NRA also advises on (and has limited powers for) the control of development in flood risk areas to ensure that satisfactory safeguards are provided for the limited development which can be allowed within the floodplain. Works in, under, over and adjacent to, watercourses are also of concern, needing to be properly evaluated to receive any necessary statutory consents due to the sensitivity of watercourses to drainage works.

1.9.09 New development in this area can cause flooding, pollution and erosion of areas located downstream, outside the District.

Conscious of this effect, the District Council will seek the views of the NRA Thames Region and those of adjacent Boroughs for any proposals in its area which appear likely to have significant adverse surface water run-off consequences prior to the granting of planning permission. This will allow appropriate measures as defined by the Council to be taken to alleviate any increased risk of flooding downstream from the development. Accordingly development will be restricted in areas liable to flood and in locations which would result in an increased flood risk in areas downstream.



❖ LPS2 RESTRICTION OF DEVELOPMENT IN FLOOD AREAS

DEVELOPMENT ON AREAS SUBJECT TO FLOOD RISK WILL BE RESTRICTED TO THOSE USES WHICH WILL NOT BE SERIOUSLY AFFECTED BY OCCASIONAL INUNDATION, AND WHICH WILL NOT SIGNIFICANTLY REDUCE THE CAPACITY OF THE AVAILABLE WASHLAND AND WILL NOT IMPEDE THE FLOW OF FLOOD WATER.

❖ LPS3 NEW DEVELOPMENT IN FLOOD AREAS

IN AREAS LIABLE TO FLOOD THERE WILL BE A PRESUMPTION AGAINST:

(A) NEW DEVELOPMENT, INCLUDING THE EXTENSION OF EXISTING PROPERTIES, WITH GROUND COVERED AREAS GREATER THAN 100 SQUARE METRES; AND

(B) THE RAISING OF THE LEVEL OF LAND,

WHERE THIS WOULD BE LIKELY TO:

(A) MATERIALLY IMPEDE THE FLOW OF FLOOD WATER;

(B) INCREASE THE RISK OF FLOODING ELSEWHERE; OR

(C) INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK,

UNLESS SCHEMES FOR FLOOD RELIEF AND/OR COMPENSATION HAVE BEEN AGREED BY THE NATIONAL RIVERS AUTHORITY, THAMES REGION, AND THE DISTRICT COUNCIL.

❖ LPS4 SURFACE WATER RUN-OFF LIABLE TO CAUSE FLOODING

PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED FOR NEW DEVELOPMENT OR REDEVELOPMENT OF EXISTING URBAN AREAS IF SUCH DEVELOPMENT WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE WATER RUN-OFF. WHERE DEVELOPMENT IS PERMITTED WHICH IS LIKELY TO INCREASE THE RISK OF FLOODING, IT MUST INCLUDE APPROPRIATE ATTENUATION MEASURES DEFINED BY THE COUNCIL IN CONSULTATION WITH THE NRA.

❖ LPS5 WORKS AFFECTING WATERCOURSES

THE COUNCIL WILL SEEK TO ENSURE THAT ALL WORKS IN, UNDER, OVER AND ADJACENT TO, WATERCOURSES RECEIVE ANY NECESSARY STATUTORY CONSENTS AND ARE APPROPRIATELY DESIGNED AND IMPLEMENTED IN ACCORDANCE WITH REGULATIONS.

PUBLIC RUBBISH DUMP

1.9.10 The need for a public rubbish site in the central part of Wokingham District has been established for some years. Existing facilities are

Appendix 8 District Council Explanation of Internal Telecommunications Policy.

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Your ref.

RECEIVED
23 JAN 2001

Mr Russell Price
APT
Dolphin House
Albany Park
Camberley
Surrey, Gu16 7QH.

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Dear Mr Price

TELECOMMUNICATIONS PLANNING POLICY

I refer to your letter of 17 January 2001, concerning the above.

This Council does not at present have any development control policies for telecommunications development specifying 'exclusion zones'. The main Development Policies relating to telecommunication development (in addition to more general planning policies which may also be relevant) are Berkshire Structure Plan Policy TC1 and Wokingham District Local Plan Policy WIC14.

The latest version of Policy WIC14 includes the following:

> ".....THE COUNCIL WILL EXERCISE ITS OPTION TO REQUIRE PRIOR APPROVAL IN AREAS DESIGNATED IN THIS PLAN AS BEING ENVIRONMENTALLY SENSITIVE, **WITHIN 200 METRES OF ANY BUILDING USED BY PEOPLE** AND IN OPEN COUNTRYSIDE WHERE IT WOULD APPEAR ABOVE THE SKYLINE." **(my bold)**

Therefore, the Development Plan Policies clearly indicate that telecommunications development within 200 metres of any building used by people will be subject to particular scrutiny.

Section 54A of the Town and Country Planning Act 1990 (as amended) states:

> "Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan **unless material considerations indicate otherwise." (my bold)**

In July 1999, Circular 04/99 Planning for Telecommunications was issued. It post-dates the Berkshire Structure Plan, which by definition cannot have taken into account the circular. Amongst other matters, the following notable changes were introduced in the circular. Firstly, a 42-day prior approval procedure was introduced in respect of ground-based masts, including a requirement for the operator to erect a site notice to publicise the development proposed. The circular also states that Local Planning Authorities are strongly encouraged to undertake any additional publicity that they consider necessary to give people likely to be

affected by the proposed development an opportunity to make their views known to the authority.

Secondly, the circular now explicitly states (in paragraph 12) that the site of the telecommunication development in relation to residential property is, amongst others, a factor that may be considered in determining prior approval applications.

This Council as landowner will not normally allow mobile telephone masts on Council land or buildings within 60 metres of residential properties or any other structures where there is prolonged human presence. The definition of structures includes children's play areas, playgrounds, sports fields and buildings such as sports pavilions. This is not a development control policy, and on at least one occasion such development has been allowed at less than 60 metres after it had been clearly demonstrated that there was no reasonable alternative site.

As you are no doubt aware, notwithstanding the publication of the Stewart report, mobile telephone mast developments continue to give rise to high levels of public concern and objections. As mobile telephone companies and their agents have sought clarity as to the most acceptable locations for mobile telephone masts, the advice we give is that they should ensure that they are as visually unobtrusive as possible (monopoles are preferred to lattice towers) with good landscaping (both existing and proposed). Furthermore, they are advised to try to comply with the Council's guidelines for such development on its own land i.e. locating it at least 60 metres away from residential properties or any other structures where there is prolonged human presence. The reason for recommending compliance with the 60-metre distance is that, almost without fail, such development attracts strong local opposition. If the distances considered appropriate for development on Council land are met, then it is reasonable to assume that the Local Planning Authority will not normally object to such development due to its proximity to residential property or any other structures where there is prolonged human presence.

This Council has refused prior approval for some proposed mobile telephone masts because of their proximity to residential properties. However, I am not aware of any appeals by any mobile telephone operator against any such refusal since Circular 04/99 was issued. Therefore, it can only be assumed that either no such company considered our decisions unreasonable, or that the precedent that may be set if such an appeal should be dismissed outweighed any benefit from appealing.

This Council has frequently allowed mast sharing on existing sites, even though a higher more visually obtrusive mast has been required, and/or the site is in a location that would no longer be viewed favourably. Thus we seek to facilitate such development in a manner that also takes into account the planning interests and concerns of local residents and other interested parties.

Until such time as any such appeals have been allowed, the presumption must be that this Local Planning Authority is arriving at an appropriate balance between the interests of the mobile telephone operators and the planning concerns of local residents and employees.

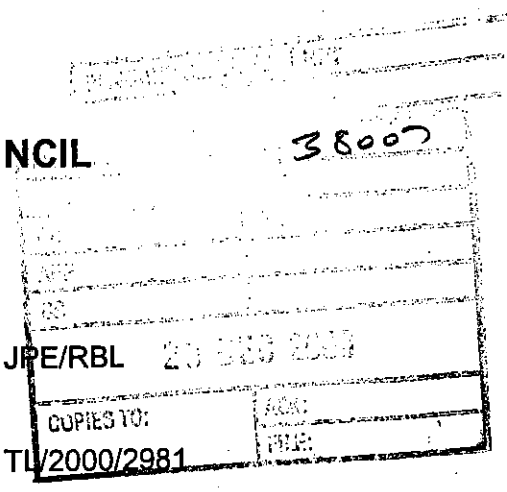
Yours sincerely

M L THORP
Principal Development Control Officer

Appendix 9 District Council Environmental Health Officer Statement

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM



From: Joanne Ellis
Environmental Health

My Ref: JRE/RBL

To: Joss Miller
Planning

Your Ref: TL/2000/2981

Date. 19 December 2000

PROPOSED: ERECTION OF 12.5 M HIGH MAST WITH 3 DUAL POLAR ANTENNAS AND ONE RADIO EQUIPMENT HOUSING

LOCATION: LAND REAR OF TAYLOR FREEZZER, OLD BATH ROAD, CHARVIL

These proposals have been evaluated and I have no environmental health objections to planning consent but have the following comments to make in relation to this proposal:

There have been questions raised as to the possibility of adverse health effects from electromagnetic radiation from telecommunication base stations and their positioning in relation to residential development and, in particular schools.

The Chartered Institute of Environmental Healths current policy states that;

(a) despite a growing body of research, there is currently no convincing evidence that environmental exposure to electromagnetic fields (emf) generated by the transmission of electricity or mobile telephony is harmful to human health, including that of children;
(b) that there is no justification on health grounds for restricting the public use of land other than immediately around power and mobile telecommunications installations. Conversely, there is no justification for restricting the siting of such installations in proximity to other land uses:
(c) that public concerns about the effects of electromagnetic fields while in our current state of knowledge apparently without foundation, should nonetheless be recognised as genuine.
(d) The full effects of emfs on humans may not yet be realised and though it can never be conclusive, there remains a need for continuing, properly funded, independent research into the nature, extent and relevance of those effects and the consequent adequacy of prevailing exposure guidelines.

Should you have any queries please do not hesitate to contact me.

Joanne Ellis

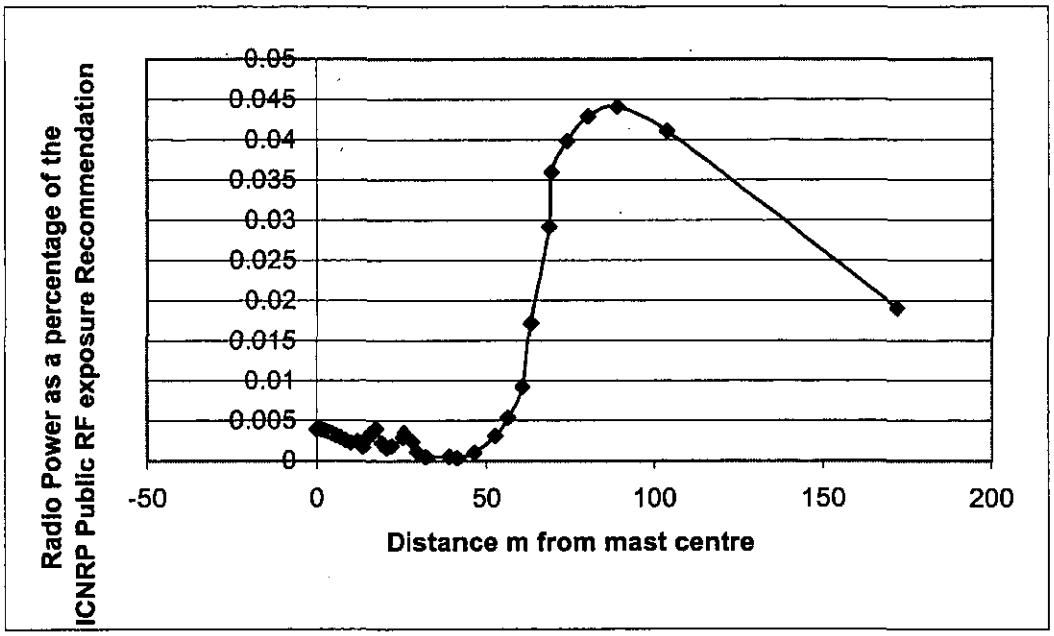
Appendix 10 Predicted levels of EMF emissions from the antennae

BT CELLNET ANTENNA FIELD STRENGTH PREDICTION

SITE: 17452 Charvil East, Denmark House

BTcellnet

Range from	0	m
Range to	250	m
Number of channels	4	
ERP	50	Watts
Mechanical tilt	0	degrees
Antenna Height	14	m - measured local ground to antenna centre
Measurement height	0	m - above local ground
Building losses	0	dB



maximum =	2.04	Thousandths of Watts per sq m
at	89.06	metres from the mast
	0.00583	% of NRPB safety levels
	0.04407	% of ICNRP safety level
	0.9	Volts per metre

MESSAGES:

Date 12-Jul-01

BT Cellnet Radio Design

Appendix 11 Relevant Appeal Decisions

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

Appeal Decision

site visit held on Wednesday January 19, 2000

by H G Rowlands BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

09 MAR 2000

Appeal: T/APP/H1515/A/99/1031324/P4

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mercury Personal Communications Limited against Brentwood Borough Council.
- The site is located at Thriftwood Scout Camp, Orchard Avenue, Brentwood.
- The application (ref:BRW/845/98), dated 3 November 1998, was refused on 11 June 1999.
- The development proposed is to erect a 25 metre telecommunication monopole, complete with three dual polar antennas, two dish antennas and one radio equipment cabin with ancillary access track.

Decision: The appeal is allowed and planning permission granted subject to conditions set out in the attached schedule.

Procedural matters

1. The appeal application as submitted was for the erection of a 30 metre monopole tower. The height of the monopole was subsequently reduced to 25 metres. It is on that basis that the Council determined the application and on which I have considered the appeal.

The main issues

2. The main issues in this case are:

   firstly, whether the proposed development is appropriate within the Green Belt and, if it is not, whether there are very special circumstances which would justify allowing the appeal as an exception to the presumption against inappropriate development in the Green Belt;

   secondly, the effect of the proposed development on the character and appearance of the area and the outlook from residential properties in the locality; and

   thirdly, whether the proposal would cause unacceptable risks to human health.

Inspector's reasons

3. The appeal site is located within a small clearing in the north-western corner of Thriftwood. Access to the site from Orchard Avenue is via Essex Lane, a small track around the periphery of the woodland. A new 3 metre wide by 23 metre long access track is proposed to link the appeal site to Essex Lane. The woodland is used by the Scout movement and other groups as a camp site. To the west of the wood is a railway line, while to the south, east and west is an extensive area of residential development. The nearest dwellings are approximately 30 metres from the site.

4. The appeal proposal is for the erection of a 25 metre high monopole mast. At the top of the monopole there would be 3 closely grouped cross polar antennas and 2 dish antennas. The total height of the structure would be approximately 26.3 metres. The mast would be located within a compound enclosed by a 2.4 metre high palisade fence. Within the compound there would be an equipment cabin of modest size with a height of about 2.9 metres and a small meter cabinet.

Development Plan policy

5. The development plan for the area comprises the Essex Structure Plan and the approved Second Alteration to the Structure Plan and the Brentwood Local Plan which was adopted on 30 March 1995. Where the development plan contains relevant policies, section 54A of the 1990 Act requires that an application for planning permission or an appeal be determined in accordance with the plan, unless material considerations indicate otherwise.

6. The Council confirm that there are no policies within the Structure Plan which are directly relevant to the appeal proposal. The appeal site lies within the Green Belt as defined within the Local Plan. Local Plan Policy GB1 contains a general presumption against new development within the Green Belt, unless it is for one of the specific purposes listed in the policy, which are similar to the categories of development referred to in Planning Policy Guidance Note 2 (PPG2). Policy GB2 requires that development proposals should not detrimentally affect the character and appearance of the Green Belt. Policy RS11 relates specifically to telecommunications development. Such development will normally be permitted where it is sited and designed to minimise its visual impact.

7. As Thriftwood is allocated as Protected Urban Open Space, Policy L1 is also of relevance. The policy states that within the built-up area of the Borough the development of areas of woodland will not normally be permitted. Thriftwood is also subject to a Woodland Preservation Order and parts of the wood are designated as Sites of Importance for Nature Conservation. Policy CT4 states that within and in the vicinity of Sites of Importance for Nature Conservation development prejudicial to the retention and management of important wildlife and their interrelationship with each other will normally be refused. Policy CT7 seeks to retain existing woodland, while Policy CT8 requires development proposal to retain existing trees, hedges and woods and to provide new planting.

8. The Structure Plan is in the process of being reviewed. Policy BE8 of the Draft Deposit Replacement County Structure Plan indicates that developments involving the provision of masts and antennas for telecommunications will be permitted, subject to other policies in the Plan. Where there is potential conflict with environmental objectives, telecommunications development will only be permitted where: there is no satisfactory alternative site; there is no reasonable possibility of sharing existing facilities; there is no reasonable possibility of erecting antennas on an existing building or other structure; and they do not seriously affect sites or areas of particular importance. Any development should be sited and designed so as to minimise its visual impact, subject to operational and technical requirements. While the draft policy does not carry the same force as the policies within the development plan, it is a material consideration in this case to which I attach due weight in accordance with the advice in paragraph 48 of Planning Policy Guidance Note 1.

Green Belt

9. Telecommunications development is not included in the list of appropriate development identified in Policy GB1 of the Local Plan and in the advice contained in paragraph 3.4 of

PPG2. As the guidance explains, inappropriate development is by definition harmful to the Green Belt and such development should not be approved except in very special circumstances. Such circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness is clearly outweighed by other considerations.

10. The advice in Planning Policy Guidance Note 8 (PPG8) and Circular 4/99 acknowledges that it is the Government's general policy to facilitate the growth of new and existing telecommunications systems. The Government is also fully committed to environmental objectives, including the protection of Green Belts. However, local planning authorities are encouraged to respond positively to telecommunications development proposals, especially where the proposed location is constrained by technical considerations. Having regard to the above advice, I consider that the need for a telecommunications development in a particular area can amount to very special circumstances which must be weighed against the harm which would be caused to the Green Belt and any other harm.

11. The fundamental aim of Green Belt policy is to prevent urban sprawl and the most important attribute of Green Belts is their openness. The erection of any building or structure within the Green Belt will, by definition, have some effect on its openness. However, in this case the proposal is for the erection of a 25 monopole mast within a dense area of woodland. The effect of the proposed monopole and compound on the openness and the purposes of the Green Belt, would, in my opinion, be minimal.

12. As PPG8 explains, it is the Government's policy to facilitate the growth of new and existing telecommunications systems. The Government also attaches considerable importance to keeping to a minimum the number of telecommunication masts and sites for such installations. The sharing of masts and the use of existing buildings to site new antennas helps to achieve that aim. The advice also acknowledges that telecommunications development may result in wider environmental benefits. The appellant has identified a hole in its coverage in the area surrounding the appeal site. On the basis of the submitted evidence, I am satisfied that there are no existing masts or tall buildings within the area from which the desired level of coverage could be obtained. In my view, the benefits of extending the telecommunications network in the area outweigh the minimal harm which would be caused to the objectives of Green Belt policy.

Effect on the character and appearance of the area.

13. PPG2 explains that the visual amenities of the Green Belt should not be injured by proposals for development which, although they would not prejudice the purposes of including land within the Green Belt, might be visually detrimental by reason of their siting, materials or design. That advice is reflected in Local Plan Policy GB2.

14. The appeal site lies within a dense area of woodland, some of the trees being of considerable height. However, no significant specimens would need to be removed in order to construct the compound and monopole. Although the top of the structure would extend above the tree canopy, the surrounding trees would ensure that it would not be readily visible both from within Thriftwood and from the surrounding area. The visual impact of the compound when seen from close to could be mitigated by an appropriate landscaping scheme. Subject to the access track being constructed in appropriate materials, its effect on the character and appearance of the woodland would not , in my view, be significant.

15. Having regard to the existing activities which take place within the wood, I do not consider that the additional activity generated by periodic maintenance of the proposed telecommunications equipment would significantly affect the wildlife within the wood.

Health Effects

16. The Council considers that, until such time as it has been proved that telecommunications equipment causes no unacceptable risks to human health, a precautionary approach should be adopted to such development. The Council's stance in not to allow such development within 200 metres of residential properties or schools. In this case, local residents have also expressed concerns about the possible adverse effect of the proposals on human health. The Courts have held that any genuine public perception of danger is a valid planning consideration, although the weight to be given to this is a matter for the decision maker, taking into account the particular facts of the case. As PPG8 explains, radiation safety is a matter for the Health and Safety Executive (HSE). As part of the wireless telegraphy licensing procedures, applicants are made aware of the safety requirements, and details of radio sites are passed to the HSE. The HSE expects mobile phone operators to comply with the National Radiation Protection Board's (NRPB) guidance on restricting exposures of workers and members of the public to radio frequency radiation. The NRPB is the statutory body charged with advising Government on radiological protection. Its advice covers both ionising radiation (such as x-rays) and non-ionising radiation (including ultraviolet and radiofrequency radiation). The NRPB is composed of independent members and has a staff of expert scientists in their field. The Board's advice takes account not only of NRPB's internal research but also the work of other national and international organisations. The NRPB assesses all relevant research findings before advising government.

17. The Government's position on the health effects of mobile phone base stations is explained in a letter of 3 July 1999 from the Minister for Public Health and the Minister for Planning and the Regions which was addressed to all council leaders in England. The draft Circular on Land Use Planning and Electromagnetic Fields published in December 1998 also explains the Government's position on the possible health effects of exposure to electromagnetic fields. As the letter confirms, the strength of the radio waves at ground level created by telecommunications apparatus is many times below the NRPB's recommended guidelines and should present no health risk. Those guidelines are set to prevent the well-established adverse thermal effects on health resulting from the excessive heating of tissue. The Council acknowledge that the NRPB's limits have been scientifically justified and that they are relatively easily measured to ensure compliance. There is no evidence before me to suggest that the appeal proposal would break current NRPB guidelines.

18. The possible long-term health effects associated with exposure to electromagnetic fields and radiation has been addressed by the NRPB Advisory Group on Non-Ionising Radiation chaired by Professor Richard Doll. That group concluded that there is no firm evidence of a carcinogenic hazard from exposure to electromagnetic fields in the electronic and telecommunications industries. That view, which is based on studies undertaken in a number of countries, is supported by international bodies, including the World Health Organisation. The Government recognises that it is important that high quality research on the subject continues to be carried out. However, in its response to the report of the House of Commons Select Committee on Science and Technology on 'The Scientific Advisory System: mobile phones and health' published on 22nd September 1999, the Government maintained its view that the scientific evidence which has been accumulated so far does not

suggest that radiation arising from either mobile phones or their base stations presents a health hazard if it complies with current UK exposure guidelines. On that basis, I do not consider that there is a justification for rejecting the proposal before me on health and safety grounds.

19. In conclusion, I am satisfied that the appeal proposal would not harm the character and appearance of the area and would accord with the aims of Policies GB1, GB2, RS11, L1, CT4, CT7 and CT8 of the Local Plan and Policy BE8 of the emerging Structure Plan. Government advice does not support the need for the adoption of a precautionary approach to telecommunications development and no evidence has been submitted which is sufficient to convince me that there are particular circumstances within Brentwood Borough which justify the adoption of such an approach. In coming to my conclusions, I have had regard to the Inspector's conclusions when dismissing an appeal for the erection of a 15 metre high telecommunications mast at Shenfield Hall Farm, Hall Wood, Hall Lane, Shenfield (T/APP/H1515/A/99/1024618/P7). However, I do not find the circumstances of that appeal to be directly comparable with the proposal before me. In particular, the proposal at Shenfield Hall Farm was for a lattice type mast in an open location, while the proposal before me is for a monopole structure surrounded by dense woodland. Consequently, in my view, the visual impact of the proposals are significantly different.

20. I therefore proposes to allow the appeal and to grant planning permission subject to conditions. I have considered the conditions suggested by the Council, having regard to the advice in Circular 11/95. All are necessary, in my view, in order to maintain the character and appearance of the area. I have re-worded the conditions were necessary in the interests of clarity and precision.

21. In arriving at my conclusions I have taken into account all other matters raised in the representations, including those relating to increased traffic and the adequacy of mobile phone reception in the area. However, I do not find any of the matters raised to be of such weight as to alter the balance of my conclusions.

Conclusions

22. For the reasons given above I consider that, on balance, the appeal should succeed and I shall exercise the powers transferred to me accordingly.

Schedule:

Appeal: T/APP/H1515/A/99/103132/P4

23. The appeal is allowed and planning permission granted to erect a 25 metre telecommunication monopole, complete with three dual polar antennas, two dish antennas and one radio equipment cabin with ancillary access track in accordance with the terms of the application no: BRW/845/98 dated 3 November 1998, and the plans submitted therewith, as amended by drawing no: 98045/91619/MPC01/01 revision C, subject to the following conditions:

    (i) The development hereby permitted shall be begun before the expiration of five years from the date of this decision;

    (ii) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include details of the existing trees and shrubs on the land and details of those to be retained, the location, species and size of all new trees, shrubs and hedgerows to be planted, those areas to be grassed or hard surfaced, and a programme of planting and transplanting. The landscaping scheme shall

include details of all surfacing materials and any change in ground level. The landscaping scheme shall be carried out in accordance with the approved details during the first planting season following the completion of the development or in accordance with a programme of planting agreed in writing with the Local Planning Authority. Any newly planted tree, shrub or hedgerow, or existing tree or, shrub shown as being retained, which die, are removed, or become seriously damaged or diseased within 5 years of the date of completion of the development shall be replaced within the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

(iii) Details of materials to be used in the construction of the access road shall be submitted to and agreed in writing by the Local Planning Authority before the commencement of the development. The road shall be constructed in accordance with the approved scheme;

(iv) The mast, equipment cabin and compound fence hereby permitted shall be permanently retained in a dark colour to be agreed in writing with the Local Planning Authority before any work on the site commences.

Informatives

24. The conditions imposed require further matters to be agreed by the local planning authority. There is a statutory right of appeal if it refuses any such application, fails to give a decision within the prescribed period, or grants a conditional approval.

25. This decision only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.



Appeal Decision

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

Site visit held on 7 March 2000

DATE

by P G Robottom MA(Oxon) DipTP MRTPI MIMgt

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

24 MAR 2000

Appeal Ref: T/APP/L2250/A/99/1034689/P4

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by One 2 One Personal Communications Limited against the decision of Shepway District Council. The appellants were formerly known as Mercury Personal Communications limited.
- The site is located at H S Jackson & Son (Fencing) Ltd, Lymebridge Green, Stowting Common, Stowting, near Ashford.
- The application (ref: 99/0666/SH) dated 27 July 1999 and amended by letter on 28 July 1999, was refused on 8 October 1999.
- As amended, the development proposed is the erection of a 22.5 metre monopole telecommunications mast with 3 cross-polar antennas and two 0.6 metres microwave dish antennas and associated compound with equipment cabin.

Decision: the appeal is allowed and planning permission granted subject to conditions set out in the formal decision.

Procedural matters

1. At the site visit, it was established that the application drawing, which was refused planning permission, is Drawing No 0032/254/001 Revision B, rather than Revision C that was included with the appeal documentation. A copy of the refused drawing has been subsequently provided. The only difference is the route of the access though the fencing manufacturing site to the public highway. Revision B shows that route reaching the public highway at an existing access that is used both by the works and for public access to a direct sales facility. Revision C shows the track reaching the public highway also via an existing access but in this case one only serving the works and in particular its main office premises.

2. The Council has made no comments on the revised access arrangements. Both alternatives involve use of existing well-used accesses to the highway. As there would be a very small number of vehicular movements each year to service the installation, I do not consider that it has a material bearing on the application whether the access were to be via the route shown on Revision B or that on Revision C. Nevertheless, the preferred route shown on Revision C might be marginally preferable. The trackway within the site would be shorter, the possibility of confusion with members of the public using the direct sales facility would be avoided and the visibility on the outside apex of a bend in the road would seem the optimum that could be achieved.

3. I have, therefore, taken account of Revision C in making my determination, as I cannot see that the interests of the Council, the highway authority or any interested persons would be prejudiced.

The main issues

4. From my appraisal of the written representations and my inspection of the site and its surroundings, I consider that the main issues in this appeal are firstly, whether there would be any material risk to health from the siting of the antennas and, secondly, the effect on the character and appearance of the Kent Downs Area of Outstanding Natural Beauty and the North Downs Special Landscape Area within which the site is situated.

The development plan

5. The development plan for the locality comprises the adopted Kent Structure Plan 1996 and the adopted Shepway District Local Plan 1997. Policy S2 of the former seeks to conserve and enhance the quality of the Kent environment, with Policies ENV1, ENV3 and ENV4 applying protection to the countryside in general, the AONB and the SLA respectively. Policy RS1 seeks to ensure that development at settlements preserves and as far as possible enhances the character, amenity and functioning of the settlement concerned. Policy TR11 generally encourages telecommunications development. As for the local plan, Policy U9 indicates that telecommunications development will be approved subject to a number of criteria. These include alternative sites and mast sharing having been considered and proved impracticable, absence of unacceptable impact on the landscape, wildlife, residential amenity or other considerations including the character and setting of AONBs and SLAs and the satisfactory treatment of ancillary proposals. Policies CO2 and CO3 specifically seek to protect the Kent Downs AONB and the North Downs Special Landscape Area. Priority will be given to conservation and enhancement of the natural beauty, but proposals which would be inconsistent with this objective will be weighed in the light of securing the economic and social well-being of the area, a caveat that is also found in the comparable structure plan policies.

Inspector's reasons

Health risk

6. The Council's sole reason for refusal relates to the possible effects of low intensity microwave radiation on human health and public concern about this issue. While it is accepted that public perception of harm can be a material planning consideration, Planning Policy Guidance PPG8 indicates that radiation safety is a matter for the Health and Safety Executive [HSE] and that such considerations are dealt with as part of the licensing procedures. It is further indicated that the HSE rely upon the advice of the National Radiological Protection Board [NRPB] on the effect of electromagnetic fields [EMF]. The Board's current standpoint is that there is no scientifically confirmed link between exposure to EMF and ill health at the levels of intensity likely to be encountered in relation to radio base stations and that no persuasive biological mechanism has been established for such an effect.

7. Nevertheless, because of public concern, a draft circular was issued in December 1998 jointly by DETR and the Department of Health entitled *"Land-use Planning and Electromagnetic Fields"*. This reiterates that as far as health and safety is concerned, this would be covered by the Health and Safety at Work Act 1974 and that operators would have to demonstrate that the exposure of employees and the public complies with NRPB guidelines. A review by the NRPB Advisory Group on Non-Ionising Radiation of international research is referred to. The conclusion is that there is no evidence of a causal

link between exposure to EMFs and cancer and, thus, no basis in human health studies for setting exposure standards. Subsequently, although the draft circular has not yet been finalised and can only, therefore, be afforded limited weight, the Minister for Public Health and the then Minister for Planning issued a joint letter on 23 July 1999. In this it states that the maximum exposure power densities from telecommunications installations are only likely to be exceeded "within a few metres and directly in front of the antenna." As the surrounding area is usually fenced-off and not accessible to the public, the letter concludes that the practical effect is that "the strength of radio waves at ground level and in areas normally accessible to the public are many times below recommended guideline levels and should present no health risk".

8. The Council has referred to the work of a Dr G J Harland, a physicist at Warwick University, who argues that the NRPB guidelines only relate to heating effects and the induction of electric currents caused by exposure to low frequency magnetic fields. He suggests that there could be much wider implications and that there are an increasing number of reports of adverse health risks worldwide. The Council also refers to a WHO fact sheet that cites some adverse research results using laboratory animals. Nevertheless, the NRPB indicate that in holding to their safety guidelines, they are aware of the views of Dr Hyland but consider that these fall outside the consensus adopted by radiological protection organisations. The NRPB operate a single tier safety guideline, which they consider provides a sufficient margin to ensure protection of all people, whereas the International Commission on Non-Ionising Radiation Protection [ICNIRP] feature a two-tier basis that introduces a five-fold reduction in the safety level advised for members of the public.

9. The House of Commons Select Committee on Science and Technology considered the subject of Mobile Phones and Health during 1999 and Dr Hyland had opportunity to present his views during this process. The Committee reported in September 1999. It drew attention to the difference between the NRPB and ICNIRP guidelines. They agreed with the NRPB that there is no validated scientific evidence to justify lower exposure limits. Nevertheless, in view of the increase in frequency and duration of phone use and the acceptance of the need for more research, particularly in the area of athermal effects of microwaves, they recommended adoption of the ICNIRP level for public exposure. This would be 0.08 watts/Kg for whole body exposure compared to the 0.4 watts/Kg advised by NRPB and would be in line with the recommendations adopted by the EU Health Council on 8 June 1999. It noted that almost all UK base stations would already comply with these lower limits as the industry had been expecting adoption of EU standards for sometime. Nevertheless, it recommended the adoption of the lower limit, as a precautionary measure.

10. In the interim, the government had established an Independent Expert Group on Mobile Phones. Consequently, in their response to the Select Committee, which was published in December 1999, the government indicates that it will be considering whether to adopt the ICNIRP guidelines after the Expert Group has reported. For the present the government supports the NRPB view that there is no scientific basis for the exposure limits for radio frequency radiation to be reduced to the levels proposed by ICNIRP, those levels being set for all frequencies used over a large number of activities. The response also notes that the exposure to the general public from base stations is considerably inside either guideline and that systems as a whole are already likely to comply with the international guidelines to allow flexibility in marketing. Thus, in practice compliance with ICNIRP rather than NRPB guidelines would not result in reduced exposure as it is only in the area directly in

front of the antennas and at their height where exposure might approach the guideline level. At this height the public would not have physical access, but even if they did the existing exclusion zone of 1-2 metres would mostly require extension by only a few metres.

11. In the case of this appeal, the antennas would be mounted on a 22.5 metre high mast so the level of exposure at ground level outside the proposed compound would be many times below the threshold under either guideline. Moreover, the nearest house, Stowting Common Farmhouse, is about 120 metres away from the location of the proposed mast. Thus, there would be a very considerably greater margin below the guidelines at that property or anywhere within its garden. The other houses from which representations have been received, such as Yew Tree Farm and Yew Tree Farm Cottage, are 150 metres or more from the site.

12. I recognise that the proposal is for a second mast on the H S Jackson site, as there is already a 25 metres high mast supporting antennas of Orange PCS. The new mast is proposed close alongside that already existing. This means that the existing mast is slightly closer to Stowting Common Farmhouse but slightly further from the dwellings at Oak Tree Farm. It would not be materially different in distance from Yew Tree Farm. I do not consider that the acceptance of the Orange PCS mast, or indeed masts closer to dwellings elsewhere in Shepway District, automatically means that there could be no concern over health issues in this instance. However, none of the literature suggests that the safety clearance in front of antennas would need to be increased where there are two masts in close proximity. Even if to apply a precautionary approach, the 5 metres or so margin that would apply around each mast at the height of the antennas under the more stringent ICNIRP guidelines were to be added or even multiplied together, the antennas would still be many times further from the nearest houses. Moreover, the government view is still that there is no scientific basis for guidelines that would extend a safety margin beyond 2 metres in front of the antennas.

13. Consequently, in relation to this issue I consider that there are no grounds on which to withhold permission in relation to this particular proposal.

The effect on the character & appearance of the Kent Downs AONB & Special Landscape Area

14. Notwithstanding the absence of objection by the Council on these grounds, the visual impact of the proposal is raised in a number of representations, including suggestions of a need to consider mast sharing. The conservation of the natural beauty is also a statutory objective of AONBs and the policies of the development plan seek the protection of the landscape of both AONBs and SLAs and the countryside more generally.

15. The impact of the mast is readily discernible because of the existence of the slightly taller Orange PCS mast only just over 20 metres from the proposed site. There are a number of locations from where this mast can be seen from public places, but because of the rolling and generally well-treed landscape, these views are at short range whether from roads or rights of way. It can be seen across fields from the B2068 near Sixmile Garage and from the immediate vicinity of the timber works at the northern end of Lymbridge Green where there are a number of dwellings. However, the landform and tree screening makes it unlikely that the new mast would be seen from ground level at the southern end of the hamlet, as the existing higher mast is not generally visible. In most views, the existing mast is either seen in the context of high voltage electricity overhead lines that run to the east of the site or of the substantial industrial site at which it would be located. Although it would stand, like the existing mast, on higher ground to the rear of the timber works amongst waste mounds, the industrial and commercial foreground in most views from residential

properties would in my judgement minimise its impact. Only from Stowting Common Farmhouse would there be likely to be a view of the mast in a context that, but for the existence of the Orange PCS mast, would currently appear unspoilt above the tree screen that surrounds the waste mounds. However, the larger Orange PCS mast already exists. Thus, even in this view, the mast would be seen in a context already significantly affected by development. Thus, I consider any additional harm from the proposed second mast would be very limited.

16. I accept that as there would be some harm, there would be conflict with the policies of the development plan for the protection of the AONB and the SLA and indeed the environment generally of the countryside or rural settlements. However, Planning Policy Guidance PPG8 indicates that it is government policy to facilitate the growth of new and existing telecommunications systems and that regard has to be had to technical constraints, although protection from visual damage will be an important consideration.

17. In this particular instance, I agree with the Council that mast sharing with the existing Orange PCS installation would not be a more environmentally acceptable solution, as the evidence is that a lattice mast of about 30 metres in height would be likely to be necessary, having allowed for necessary vertical separation distances and other technical considerations. This would be likely to have a more adverse effect on the landscape. As for alternative sites, the Council has not suggested any apart from those considered and rejected by the appellants at Sixmile Garage, at Tumulus Farm or in West Wood. Leaving aside any technical deficiencies of these alternatives, I consider that the first and the last would be likely to be more prominent in public viewpoints along the B2068. It might be possible to find a location that could be serviced in the wood, yet which would be further from dwellings and generally screened by the trees. Nevertheless, such a location would be likely to involve siting in an area less affected by manmade structures. I am not persuaded, therefore, that there is a preferable location in order to address the deficiencies in coverage identified by One2One PCS. As the existence of these deficiencies in coverage along the B2068 and at nearby settlements is not disputed by the Council, I consider that the advice of PPG8 on facilitating the growth of new and existing telecommunications systems outweighs the very limited harm to the landscape or to residential amenities. Thus, I also consider that the criteria of Policy U9 of the adopted Local Plan would be satisfied, as the necessary ancillary development would be wholly contained within the existing industrial site.

Conclusions

18. I have concluded that the possibility of harm to health would not justify withholding permission in the circumstances of this appeal. I have also concluded that the very limited harm to the landscape of the AONB and SLA would be outweighed by the need for the installation in the absence of more environmentally suitable mast sharing or alternative siting possibilities. In view of the need for the facility, and my judgement that the proposal would satisfy Policy TR11 of the adopted Structure Plan and Policy U9 of the adopted Local Plan, I also consider that the need is a material consideration which indicates that approval should be granted, notwithstanding the limited conflict with the policies of the development plan for the protection of the AONB, the SLA and the environment of Kent more generally. Even those policies accept that the economic and social well being of the area is a relevant consideration and PPG8 refers to modern telecommunications being an essential and beneficial element in the life of the local community and in the national economy.

19. I have considered all other matters raised in representations including the possibility that a more rigorous application of the 'precautionary principle' as referred to in the Maastricht Treaty should be applied and other appeal decisions referred to elsewhere. The particular circumstances of those permissions do not appear wholly similar to the circumstances of this appeal. As for a more stringent application of a precautionary principle, this is addressed specifically in the House of Commons Select Committee on Science and Technology Report. I share the judgement expressed in the report that under strict application, any degree of uncertainty could prohibit the introduction of a new technology. Rather in practice 'applying the precautionary principle means measures must be taken to minimise known risks and alertness to the emergenoe of unknown risks must be maintained'. I consider that by assessing the proposal against the implications of the more stringent ICNIRP guidelines and even possible multiples of such safety margins, that the precautionary principle has been applied as far as could reasonably be expected.

Conditions

20. The Council has suggested two conditions in addition to the statutory time limit. I agree with the appellants that the suggested condition concerning removal of equipment on the need ceasing to exist is unnecessary, as it would duplicate licence requirements. That concerning painting the mast is justified in order to prevent reflection from bare metal surfaces having an adverse effect in the landscape. I do not consider that there is a need for additional landscaping as the waste mounds that would surround the site would screen the ancillary cabin and compound.

Formal decision

21. For the above reasons and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of a 22.5 metre monopole telecommunications mast with 3 cross-polar antennas and two 0.6 metre microwave dish antennas and associated compound with equipment cabin in accordance with the terms of the application (No: 99/0666/SH) dated 27 July 1999, as amended by letter on 28 July 1999, and the plans submitted therewith together with drawing No 0032/254/001 Revision C, subject to the following conditions:

    (1) The development hereby permitted shall be begun before expiration of five years from the date of this decision.

    (2) The mast shall be painted matt grey and so maintained at all times unless otherwise agreed in writing by the local planning authority.

22. This permission only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

INSPECTOR



The Planning Inspectorate

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Your Ref
AJT/MT/567

Our Ref
T/APP/X0360/A/99/1017116/P2

Date: 26 APR 1999

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 & SCHEDULE 6
APPEAL BY VODAFONE LIMITED
APPLICATION NO: 98/67802/F

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of Wokingham District Council to refuse planning permission for the erection of a "20 metre slimline telecommunications monopole with minicabin - to provide radio coverage for the M4" on land at Hatch Farm, Mill Lane, Sindlesham. I have considered all the written representations together with all other material submitted to me. I inspected the site on 8 April 1999, when I also viewed the site from Nirvana Spa, Mole Road.

2. From my inspection of the site and the surrounding area and from the representations made, I consider that there is one main issue in this case. That is the effect of the proposal on the character and appearance of the area.

Policy context and planning guidance

3. The development plan comprises the Berkshire Structure Plan (SP) 1995 and the Loddon Area Local Plan (LP) 1995. I must determine this appeal in accordance with the development plan unless material considerations indicate otherwise. I have also been referred to the draft Wokingham District Local Plan (DLP) 1997 but, whilst this plan is a material consideration, it clearly does not have the same force as an adopted plan.

4. In relation to the issue which I set out above, SP Policy C6 states that the setting and separate identity of settlements will be protected. This approach is also reflected by LP Policy LC1 and by DLP Policy WCC2. One of the criteria in SP Policy TC1, as reflected by DLP Policy WIC14, is that telecommunications proposals should have no significant adverse visual impact. This approach is continued, in more general terms, by LP Policy LBE2 and DLP Policy WBE1.

5. In addition, other criteria in SP Policy TC1 provide that there should be no satisfactory alternative sites, no reasonable possibility of mast sharing, and no reasonable possibility of the use of existing structures. These criteria are reflected by DLP Policy WIC14.

6. In dealing with this appeal, I am mindful of the advice on telecommunications in Planning Policy Guidance Note 8 (PPG8). The general policy is to facilitate the growth of new and existing telecommunications systems, whilst taking account of the advice on the protection of urban and rural areas.

The effect of the proposal on the character and appearance of the area

7. The visual impact of the proposal was raised in the letters submitted by interested persons. However, it was not a reason for refusing planning permission, and the Council has raised no objections on this basis. The objections of the interested persons relate to the effect of the proposed mast, rather than to the cabin or fencing.

8. The appeal site is located towards the corner of an area of open fields divided into paddocks, which fall away from the site towards the motorway to the northwest. It adjoins an existing lattice telecommunications mast and its associated structures. The site is substantially screened from the residential and commercial development to the north and east by a belt of mature trees, although the existing mast, which is of a similar height to the current proposal, is visible above the trees from the health and sports clubs to the east. You have stated that these buildings are over 80 metres from the appeal site, and the Council has agreed with this figure.

9. When viewed from the open fields, the mast would be set against the backdrop of the tree belt, although it would exceed the height of the trees to some extent. Although the mast would be of a substantial height, the proposed design is slender and uncluttered, and I do not consider that it would be unduly prominent or obtrusive in its setting. I therefore do not consider that it would significantly intrude into the open gap which exists between the settlements or be an unduly dominant feature in the landscape.

10. Viewed from the east and southeast, the proposed monopole would rise above the tree belt to around the same extent as the existing mast, and would be visible from the rear rooms and car parks of the health and sports clubs. However, the design of the proposed monopole is substantially different from the existing lattice mast and would, in my opinion, be significantly less dominant in the local area. In addition, the proposal would not be seen in isolation, but in the context of the existing mast and the tree belt. For these reasons, I consider that it would appear as an unobtrusive element in the landscape when viewed from the east and southeast.

11. I consider that the effect of the proposal would be reduced still further if, as suggested by the Council, a condition were imposed to require the mast and the cabin to be painted green. I consider it necessary to require the submission of the precise colour for further approval.

12. Overall, I consider the proposal would not conflict with the advice in PPG8 on the protection of urban and rural areas, and that it would not harm the character and appearance of the area. I find that it would not conflict with the relevant development plan policies which I summarised above.

Other material considerations, conclusion and formal decision

13. The Council's sole reason for refusal relates to public concern as to the health hazard which might be posed by the development. In considering this matter, I am guided by the advice in Planning Policy Guidance Note 1, which states that local opposition is not in itself a ground for refusing planning permission, unless that opposition is founded upon valid planning reasons which can be substantiated. I recognise that perceived fears are capable of being a material consideration, provided those fears are reasonably related to the development. However, in this case I note that none of the objections have referred to a possible health hazard, and I am therefore not persuaded that there is any significant public concern related to this issue.

14. In addition, PPG8 advises that radiation safety is a matter for the Health and Safety Executive, and I am also aware of the role of the National Radiological Protection Board. In view of the absence of any evidence to support this objection, and the absence of local opposition based on this issue, I do not find that this matter is sufficient to justify withholding planning permission.

15. I have also considered the other criteria in SP Policy TC1, which relate to alternative sites, mast sharing, and the use of existing structures. The Council has not questioned the need for improved service provision in the area, and have not suggested that the facility should be sited elsewhere. On this basis, and in the light of the information which you have submitted, I am satisfied that the proposal meets these criteria in SP Policy TC1.

16. Aside from the condition requiring the mast and cabin to be painted green, I have also considered the other conditions which have been put forward by the Council in the light of the advice in Circular 11/95. I do not consider a landscaping condition to be reasonable or necessary, as the application site is drawn tightly around the proposed pole and cabin, and I am not persuaded that there is any scope or need for landscaping. Nor do I consider it necessary to require the submission of boundary treatment for further approval, as this is clearly shown on the submitted plan.

17. I have taken account of all the other matters raised. However, I do not find any of these factors to be sufficient to outweigh the considerations which have led me to my decision.

18. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of a "20 metre slimline telecommunications monopole with minicabin - to provide radio coverage for the M4" on land at Hatch Farm, Mill Lane, Sindlesham in accordance with the terms of the application (No. 98/67302/F), dated 4 June 1998, and the plan submitted therewith, subject to the following conditions:

1. this development hereby permitted shall be begun before the expiration of five years from the date of this permission;

2. no development shall take place until samples of a colour scheme, showing the monopole and minicabin painted green, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

19. These conditions require further matters to be agreed by the local planning authority. There is a right of appeal to the Secretary of State if they refuse any such application, fail to give a decision within the prescribed period, or grant a conditional approval.

01:18 9778735

20. This letter only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

Yours faithfully

Phillip Ware BSc DipTP MRTPI
Inspector

APPENDIX 1C

The Planning Inspectorate

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Mr A Fewtrell BSc ARICS
Aerial Sites PLC
Aerial House
Latimer Park
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HP5 1TU

Your Ref:

Our Ref:
T/APP/H1515/A/98/1014353/P2

ALLOWED

Date: 30 MAR 1999

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 & SCHEDULE 6
APPEAL BY AERIAL SITES PLC
APPLICATION NO: BRW/436/98

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Brentwood District Council to refuse planning permission for the erection of a replacement aerial support tower and radio equipment cabin at the Essex County Council Fire and Rescue Service site at Rayleigh Close, Hutton, Brentwood. I have considered all the written representations together with all other material submitted to me. I inspected the site on 9 March 1999.

2. From what I have seen and read I consider that the main issue in this appeal to be whether the need for the facility in the location proposed outweighs any harmful visual impact it may have on the surrounding neighbourhood.

3. The development plan context is found in the approved Essex Structure Plan with Second Alteration, and the adopted Brentwood Borough Local Plan. Structure Plan Policy BE8 provides that telecommunications development will generally be permitted, subject to other policies in the Plan. These include the availability of other sites including buildings, the possibility of site sharing and the effect on sites, buildings or areas with special designations. Local Plan Policy RS11 states that telecommunications development will normally be permitted where it is sited and designed to minimise its visual impact. The supporting text points out that where practical, operators will be expected to investigate the possibility of sharing new masts.

4. The proposed 25m high lattice tower with 3 dual polar sector antennae and a 600mm microwave dish in an amended arrangement shown on drawing No. AS/FRUF1 Issue 4 would replace an existing 22m high pole mast used by the Fire and Rescue Service, sited close by. Antennae from the existing mast would be installed on the proposed tower below the proposed antennae and dish, which are intended to serve a Personal Communications Network (PCN) cellular telephone service. The tower would be sited to the south of the main Fire and Rescue Service building, like the existing mast within an indent in the southern wall of the building.

5. The existing mast can be seen over a fairly wide area around the Fire and Rescue Service site, particularly from The Spinney to the west and Burses Way to the south. From the representations of local residents it seems that the existing mast is generally regarded as an acceptable feature, partly because of its

lightweight appearance and partly because it is an essential component of a public emergency service.

6. It is clear that the proposed tower would be more visible in the neighbourhood around the appeal site than the existing mast. However, in my view the 'slimline' profile of the proposed structure and the snug grouping and vertical emphasis of antennae around but not higher than the head of the tower would limit its additional visual impact. Furthermore, mature trees in the southern and western parts of the Fire and Rescue Service site would provide significant cover to interrupt or frame views of the proposed tower from the rear gardens and windows of dwellings in The Spinney and Burses Way, and from Burses Way itself and adjoining streets.

7. The proposed tower would therefore appear as a clearly visible feature from many parts of the surrounding residential area. However in my view it would not be so prominent or overbearing in appearance as to cause a serious loss of visual amenity. Nevertheless its impact should be assessed against the need to site the installation in the proposed location rather than elsewhere.

8. Some residents express doubt about the need of the Fire and Rescue Service to site its equipment on a heavier structure than the existing pole. I accept that the pole shows no obvious signs of instability. Yet I find no reason to question your submission that the proposed tower is intended to better maintain the technical performance of the Fire and Rescue Service's radio facility during severe weather, when high winds may cause movement in the upper part of the pole. The Council have not questioned the licence obligation of the prospective cellular telephone operator to strengthen that company's network coverage in this area. The sharing of another mast in the Hurton area has been suggested. However this would benefit neither the prospective operator who could not achieve adequate cell signal coverage, nor the Fire and Rescue Service who are likely in my view still to seek to retain a substantial structure on the appeal site.

9. PPG8 *Telecommunications* states that regard should be had to the special needs and technical problems of telecommunications development, and this includes development by the licensed operators of mobile telephone networks as well as radio systems associated with public services. No acceptable alternative site has been put forward to meet the network needs of the identified licensed operator in this area. The siting of the proposed tower within the appeal site is such in my view as to minimise its visual impact. The site is not within a conservation area or subject to any other special designation. I therefore conclude that the need for the proposed installation in the location identified outweighs the harmful visual impact it would have on the surrounding neighbourhood, and that the provisions of Structure Plan Policy BED8 and Local Plan Policy RS11 are satisfied.

10. Residents express some concern about the potential health effects of the proposed installation, for example from electromagnetic fields. It has been held in law that the perception of danger may be a material planning consideration. No conclusive evidence has been put to me in this case that the proposed installation would have any significant effect on human health. In this respect I am not aware of any material difference between the circumstances of this appeal and those described in the report *Radiofrequency Electromagnetic Fields at Milford Haven Fire Station*. Two of the conclusions of that report were that the measured power densities of the PCN signals were very much below the investigation level of the National Radiological Protection Board (NRPB), and that adverse health effects would not occur. You state that the NRPB has confirmed that the proposed installation meets the relevant safety guidelines. In these circumstances the perception that there may be a risk to health is insufficient to outweigh my conclusions on the main issue that planning permission should be granted.

11. Of the conditions the Council suggest should be the subject of any planning permission, I see little need to require new planting around the base of the proposed tower and equipment cabin. These features would be relatively inconspicuous viewed from outside the site due to their location close to the Fire and Rescue Service building, distance from the boundary of the site and extent and nature of the existing tree and shrub cover and boundary treatment. There is no suggestion that any tree or shrub of significance would be removed to accommodate the installation. A condition requiring landscape planting is not therefore in my view necessary.

12. The Telecommunications Code in Schedule 2 to the Telecommunications Act 1984 requires that apparatus must be removed when redundant. A condition of planning permission to this effect is therefore not necessary. PPG8 advises that 'permitted development' rights relating to future changes to an installation should not be removed unless there is a real and specific threat to the locality in which development is to take place. Any future increase in the height of the tower would require express planning permission. Other inevitably minor changes to the configuration of the equipment to be attached to the tower or placed on the ground would be unlikely in my view to have a significant impact on the surroundings. I therefore consider that a condition withdrawing such permitted development rights as exist in that regard is not justified.

13. I have considered all other matters raised in the written representations, including references to possible noise effects, the structural safety of the proposed tower, television and radio interference, preferred locations on open ground and property values. However I find nothing to outweigh the considerations which lead to my conclusion on the main issue.

14. For the above reasons and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the erection of a replacement aerial support tower and radio equipment cabin at the Essex County Council Fire and Rescue Service site, Rayleigh Close, Hutton, Brentwood in accordance with the terms of the application No BRW/436/98 dated 29 May 1998 and the revised plan No AS/HUT/1 Issue 4 submitted therewith, subject to the condition that the development hereby permitted shall be begun before the expiration of five years from the date of this permission.

15. The developer's attention is drawn to the enclosed note relating to the requirements of the Building Regulations 1991 with respect to access for disabled people. This letter only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

Yours faithfully

R. Ogier

R OGIER BA MRTPI
Inspector

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TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
SECTION 78 APPEAL TO THE SECRETARY OF STATE
ON BEHALF OF BT CELLNET LIMITED

LAND AT REAR OF TOTAL TYRES LIMITED, DENMARK HOUSE, OLD BATH ROAD, CHARVIL, READING, BERKSHIRE, RG10 9QJ

APPEAL AGAINST THE DECISION OF WOKINGHAM DISTRICT COUNCIL TO REFUSE PRIOR APPROVAL FOR THE ERECTION OF A 12.5 METRE HIGH MAST WITH THREE DUAL-POLAR ANTENNAE AND ONE RADIO EQUIPMENT HOUSING.

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LPA REF: TL/2000/2981
SW REF: SR/K/P&D/CLIENTS/BTCELLNET17452CHARVILEAST/APP

July 2001

AMC AGENT

A list of Partners is available from any Smith-Woolley Office

INVESTOR IN PEOPLE

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Appendix 2 Site Location Plan

Appendix 3 Copy of Decision Notice

Appendix 4 Letter to Local Planning Authorities from Former Minister for Planning (June 2000).

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Appendix 6 Relevant Structure Plan Policies.

Appendix 7 Relevant Local Plan Policies.

Appendix 8 District Council Explanation of Internal Telecommunications Policy.

Appendix 9 District Council Environmental Health Officer Statement

Appendix 10 Predicted levels of EMF emissions from the antennae.

Appendix 11 Relevant Appeal Decisions

Bound separately in the accompanying Appendices Document

1 INTRODUCTION

1.0.1 Smith-Woolley is the agent for BT Cellnet Limited and hereafter called the Appellant.

1.0.2 The appeal relates to the proposed installation of a 12.5 metre high lattice mast with three dual-polar antennas and one radio equipment housing on land to the rear of Total Tyres Limited, Denmark House, Old Bath Road, Charvil, Reading, Berkshire. The proposed development is set out in prior approval notification reference: TL/2000/2981 (a copy of the notification, supporting statement and plans are attached as **Appendix 1**). The precise site location is shown on the plan attached as **Appendix 2**.

1.1 The Reason for Refusal

1.1.1 Prior approval for the siting and appearance of the proposed development was refused by Wokingham District Council for the following reason:

1. The proposal is unacceptable in view of its proximity to places of work.

A copy of the decision notice is attached as Appendix 3.

1.2 The Grounds for Appeal

1.2.1 In summary the grounds for appeal are:

1. The proposed development is in accordance with policy WIC14 of the Wokingham District Local Plan and TC1 of the Berkshire Structure Plan. The proposal is also in accordance with Policy WCC2 and WBE1 of the Local Plan. Additionally, the Local Planning Authority raised no objection to the proposal on the grounds of non-conformity with these policies.

2. There is a proven need for an installation in this area. PPG8 states that Local Planning Authorities should not question the need for the service that a proposed development is to provide. In this case the Local Planning Authority did not question the need for the proposal.

3. Moreover PPG8 and Circular 4/99 clearly state that in the case of prior approval applications the Local Planning Authority may not prevent the development in principle but can only require changes to the siting and appearance with the aim of protecting amenity. The Local Planning Authority refused this prior approval application on the grounds that it was unacceptable in view of its proximity to places of work. PPG8 states in paragraph 22 that the

Local Planning Authority should only refuse prior approval applications where there is serious risk to amenity. There is no serious risk to amenity in this instance.

4. Furthermore, the reason for refusal relates to a health and safety issue. The proposal accords with ICNIRP guidelines for levels of emissions from the antennae. In addition detailed EMF figures show that the emission levels for this proposal will fall well below the prescribed Government levels. Government advice states that if it has been demonstrated that the proposal falls within ICNIRP emission level guidelines, Local Planning Authorities should not question health and safety further. Moreover, the Government have confirmed that the planning system is not the appropriate mechanism for assessing health safeguards.

5. The proposal is located on land to the rear of an industrial estate. There are no residential properties near to the proposal. The neighbouring uses in the industrial estate are a car repair garage and a tyre warehouse. It is considered that the proposed lattice tower will not look out of place set against this urban, industrial environment.

6. Additionally, situated immediately behind the proposed site are tall conifer trees that will provide an effective backdrop for the mast. The slimline lattice style of the mast, coupled with the fact that it is static and silent means that it will not draw attention to itself, therefore further minimising its visual impact.

7. Alternative sites have been considered and ruled out. The proposed mast is located in an industrial estate, away from residential properties and has trees around it that provide an effective screening and backdrop for it. It is therefore considered that this is the most suitable location to meet the identified need for improved coverage in this area.

8. The above issues have been considered by Inspectors in other recent planning appeal decisions that raise similar issues especially the minor impact that such mast designs have on the surrounding area.

1.2.2 The above grounds are discussed more fully in Section 4 below and form the basis of the Appellant's case.

2. SITE LOCATION AND DESCRIPTION

2.1 Site Location

2.1.1 The proposal is located to the rear of a tyre warehouse located within a small industrial estate in Charvil. Charvil is located to the west of Twyford in Berkshire. The industrial estate and appeal site are accessed off the A3032 Old Bath Road. The precise site location is shown on a plan attached as **Appendix 2**.

2.2 Description of the Site and the Surrounding Area

2.2.1 The site is located on land to the rear of a tyre storage depot and workshop owned by Total Tyres Limited. The tyre depot is located in a small industrial estate on the Old Bath Road (A3032) in between the settlements of Twyford to the east and Charvil to the west. The proposed mast is located in the south east corner of a grassy area behind the tyre depot. This land is currently used as an overflow car park. The proposed location of the mast is adjacent to the boundary fence between the tyre depot and a neighbouring car repair garage located approximately 20 metres to the north east of the proposed site.

2.2.2 The tyre warehouse is a two storey pitched roof corrugated metal and brick building and is approximately 15 metres from the mast site. The warehouse extends a further 20 metres northwards. The rear of the warehouse, nearest to where the proposed mast is located, is used for storing tyres. The front part of the warehouse is used as an office for Taylors Freezers UK plc.

2.2.3 A car repair garage located to the north east of the proposed site is a two-storey corrugated iron and redbrick warehouse. Separating the car repair garage and tyre warehouse is a one and a half metre high chain link fence and a number of mature conifers and deciduous trees.

2.2.4 Behind the proposed site are two 11 metre high conifer trees and the continuation of the chain link fence. This fence also separates the proposed site from a drainage channel and an area of woodland behind the site. The area behind the warehouse where the proposed mast is to be located is flat in nature, left as a grassed area and is only used as an overflow car park. The eastern boundary fence of the open area includes a row of 25 metre high poplar trees and 12-15 metre high deciduous trees.

2.2.5 The industrial estate and proposed site lies within an area identified as a Green Gap and Wedge in the Wokingham District Local Plan. This policy seeks to maintain a clear separation between settlements and retain the character and appearance of these areas. The land beyond the boundary of the industrial estate to the south and west is made up of

large areas of flat open land. This land is identified in the Wokingham District Local Plan as part of the River Loddon flood plain and is also being developed as a country park. In addition to this the land to the south of the proposed site is also identified as a Wildlife Heritage Site in the Local Plan.

3. PLANNING BACKGROUND

3.1 Planning History

3.1.1 The appeal site has no relevant planning history.

3.2 Planning Policy Framework

3.2.1 It is considered that the following documents are relevant to this appeal and form the planning policy framework for assessing telecommunications applications and appeals.

a PPG1 - *General Policy and Principles* - this sets out the general background for consideration of such an appeal with specific mention in paragraph 39 that the planning system and the preparation of development plans in particular is the most effective way of striking the right balance between the demand for development and the protection of the environment and the promotion of sustainable development criteria. Paragraph 52 PPG1 states, "The Courts have also held that the Government's statements of planning policy are material considerations which must be taken into account, where relevant, and decisions on planning applications. ....If they (Local Planning Authority) elect not to follow relevant statements of the Government's Planning Policy they must give clear and convincing reasons."

3.2.2 Paragraph 48 of PPG1 states that planning applications should be considered in the light of current Development Plan policies. However, account can also be taken of policies in emerging plans. The weight to be attached to such policies depends upon the stage of plan preparation, increasing as successive stages are reached. For example:

> "Where a plan is at the consultation stage, with no early prospect of reaching deposit, then refusal on prematurity grounds would seldom be justified. However where a plan has been placed on deposit but no objections have been lodged, then considerable weight may be attached to those policies because of the strong possibility they may be adopted and replace those in the existing plan."

b PPG8 - *Telecommunications* - Planning Policy Guidance note 8 (PPG8) (which was revised 1992) provides advice on the planning requirements of the telecommunications industry and attention is drawn below to paragraphs relevant to this appeal.

3.2.3 Paragraph 5 states:
"The Government's general policy on telecommunications is to facilitate the growth of new and existing systems. The Government is also fully committed to environmental objectives, including well

established national policies for the protection of the countryside and urban areas - in particular...areas and buildings of architectural or historic importance. Local Planning Authorities should respond positively to telecommunications development proposals, especially where the proposed location is constrained by technical considerations, while taking account of the advice on the protection of urban and rural areas in other planning policy guidance notes. They should also bear in mind the wider environmental benefits."

3.2.4 Paragraph 6 of PPG8 goes on to note:
"Local authorities should not question the need for the service which a proposed development is to provide, nor seek to prevent competition between different operators".

3.2.5 Paragraph 13 states, "Development Plans provide a framework for the development and use of land within an area. Individual development control decisions should be made in accordance with the development plan unless material considerations indicate otherwise."

3.2.6 Paragraph 22, again in relation to development allowed under the General Permitted Development Order, states "Local Planning Authorities should take account of the obligations on the Code System Operators to provide a telecommunications service, and the severe constraints and siting and appearance imposed by the nature of the technology in the telecommunications network ...the Secretaries of State believe that there should not be much occasion for such intervention [refusal of prior approval] and that this power should not be used unless there is serious risk to amenity".

3.2.7 Paragraph 26 states "Planning authorities need to be alive to the special needs and technical problems of telecommunications development. Each application should be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include the significance of the proposed development as part of a national network. In many cases, existing policies are framed in terms of conventional buildings and land use, and may not be adequate to deal with telecommunications apparatus or other operational needs. Applications should not be refused on the basis of policies which take insufficient account of the growth and character of modern telecommunications."

3.2.8 Paragraph 27 states "The Government attaches considerable importance to keeping to a minimum the numbers of radio and telecommunications masts, and of the sites for such installations. The sharing of masts will help to achieve this, where practicable..."

3.2.9 PPG8 also addresses siting and design but states that many antennae have special siting needs because of limited range or required line of sight. Restrictions in one area may mean that a taller mast height or

more of them will be needed within the vicinity. Paragraph 30 states "Local Planning Authorities may be disposed to conclude that planning permission ought to be refused because of siting or appearance considerations. But they should first seek to understand the constraints the operator faces, whether due to the nature of the technology or legal requirement to provide a service."

3.2.10 Paragraph 37 of PPG8 states, "Radiation safety is a matter for the Health and Safety Executive (HSE). As part of the Wireless Telegraphy Licensing Procedures, applicants are made aware of the safety requirements, and details of radio sites are passed to the HSE."

Other Planning Statements

c. On the 29 June 2000 the Minister for Housing and Planning wrote to all Local Authorities (copy attached as **Appendix 4**) advising them that in the light of the Stewart Report, and until such time as new guidance was introduced, a Local Planning Authority should deal with planning applications for telecommunications on the basis of current legislative arrangements and policy guidance. In addition the letter stated that individual Local Authorities should not introduce their own precautionary policies for determining applications on mobile telephone base stations as this is a recipe for a confusion and uncertainty.

3.2.11 On the 16 March 2001 the Government published a press release relating to changes to the planning system with regard to mobile phone masts (**Appendix 5**). Among the key recommendations were that Local Authorities maintained the ability to reject applications on amenity grounds. The press release also reiterated the conclusion of the Stewart Report that stated that "the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines.

Development Plan Policy

The following documents comprise the Development Plan for the appeal site:

d. Berkshire Structure Plan: This Plan was adopted in 1997 and the publication of a Deposit Draft version is expected in late 2001. Policy TC1 of the adopted Plan relates to the assessment of proposals for telecommunications development and states that planning permission will normally be granted. However, where there is conflict with environmental objectives visual impact should be minimised and alternative sites and shared facilities should be explored. A copy of this policy is attached as **Appendix 6**.

e Wokingham District Local Plan: (Deposit Draft 1997). A Public Inquiry was held in December 2000 and the Inspectors Report is expected later in 2001. The Deposit Draft version of the relevant polices are attached as **Appendix 7** and the revised version of the telecommunications policy is also attached. Of relevance to this appeal are the following policies

WIC14 – Telecommunications
WIC16 – Development in Flood Plains
WCC2 – Green Gaps and Wedges

f Loddon Area Local Plan (adopted 1995): This plan was adopted prior to the District Wide Local Plan being prepared for Wokingham District. Until such a time as the Wokingham District Local Plan is adopted, the Loddon Area Local Plan is still a material consideration. Copies of the relevant policies are attached as **Appendix 7.** The following policies are relevant to this appeal:

LC1 – Separation of Settlements
LPS2 – Restriction of Development in Flood Areas

3.2.12 These policies are will be discussed further in Section 4 below.

4. THE CASE ON BEHALF OF THE APPELLANT

4.0.1 This section puts forward the case on behalf of the Appellant. The Appellant is a Public Telecommunications Operator licensed under the 1984 Telecommunications Act, and by virtue of that licence is obliged to provide a Personal Communications Network in the United Kingdom and to ensure that all reasonable customer demands for the system are capable of being met.

4.0.2 The reasons for refusal and grounds for appeal as put forward in Section 1 raise the following issues :

- Conformity with development plan policy;
- The need for the development;
- The lack of alternative sites;
- The visual impact of the proposal;
- The Local Authority's reason for refusal (Health and Safety);
- Other relevant appeal decisions.

4.1 Issue 1: Conformity with Development Plan Policy

4.1.1 The starting point for assessing this appeal is whether it conforms with the Development Plan, as set out in Section 54A of the Town and County Planning Act 1990 (as amended). The main policies that are relevant in this appeal are those in the Wokingham District Local Plan and Berkshire Structure Plan concerning telecommunications development, development in Green Gaps and Wedges and development in flood areas.

4.1.2 Policy WIC14 of the Wokingham District Local Plan (Deposit Draft 1997) states that planning permission will be granted for telecommunications development provided that it is in accordance with policy TC1 of the Berkshire Structure Plan. The amended version of the Wokingham District Local Plan (February 2000) adds to this policy by stating that before permission is granted applicants will be required to show that no alternative less visually intrusive sites are available or technically feasible. Policy TC1 of the Berkshire Structure Plan (1997) states that planning permission will normally be granted for telecommunications development. The policy then states that where there is conflict with environmental objectives, telecommunications development will be allowed provided that it is sited and designed so as not to result in significant visual impact, that there are no satisfactory alternative sites available, that there is no possibility of site sharing and that there is no possibility of erecting structures on existing buildings.

4.1.3 In line with these policies it will be shown in Section 4.3 below that there are no suitable alternative sites in the area that would provide the required coverage. In addition the proposal has been designed as a

lattice style mast which allows views through it, therefore minimising any potential visual impact on the local environment. Additionally the visual impact of the proposal is further minimised as a result of the existing trees that lie immediately behind the proposed site and provide a backdrop for it.

4.1.4 In addition to the proposal complying with policy WIC14 of the Wokingham District Local Plan and Policy TC1 of the Berkshire Structure Plan, the Local Authority made no objection to the proposal on the grounds of non-conformity with these policies.

4.1.5 Policy WCC2 of the Wokingham District Local Plan and Policy LC1 of the Loddon Area Local Plan seek to prevent development that does not maintain a clear separation between identified settlements and not permit development that would intensify sporadic development between them. The aim of this policy is to maintain a clear physical and visual separation between distinct settlements.

4.1.6 It is considered that the proposal does not intensify development nor affect the separation of the two built up areas of Twyford and Charvil. The proposal is located within the curtilage of an existing industrial area and it is not considered that this location will in any way increase the sporadic development within the Green Gap as the development is being confined to an existing built up area. It is considered that the character and appearance of the proposed location is industrial and it is therefore considered that the proposal will not be out of keeping with this area. Additionally, as a result of the screening afforded to the proposed development by the two large conifer trees that lie adjacent to it, the visual appearance of the Green Gap will not be affected either.

4.1.7 In addition to the proposal complying with Policy WCC2 of the Wokingham District Local Plan and Policy LC1 of the Loddon Area Local Plan, the Local Planning Authority made no objection to the proposal on the grounds of non-conformity with these policies.

4.1.8 The proposal also lies within an area identified as being vulnerable to flooding. Policies WIC16 of the Wokingham District Local Plan and Policies LPS2 of the Loddon Area Local Plan seek to control development within these flood risk areas. Policy WIC16 states that development will not be permitted unless it can be demonstrated to the local authorities satisfaction, in consultation with the Environment Agency, that the development will not reduce the capacity of the flood plain to store water or impede the flow of flood water or increase the number of people or properties at risk from flooding.

4.1.9 The Environment Agency were consulted on this proposal but raised no objection to it. They also provided advice to the Local Planning Authority stating that any concrete slabs on site should be no higher than the existing ground level and any arisings [that is topsoil, subsoil

or any other materials dug up during the construction of the mast] should be removed from the flood plain. Additionally the proposal lies adjacent to a drainage ditch and any surface or rainwater falling adjacent to the site will drain immediately into this ditch.

4.1.10 The industrial estate lies to the north of an area identified in the Local Plan as a Wildlife Heritage site. The proposed mast will not affect the setting of this area as it is located 40 metres away from this designated area and will be screened by the dense area of trees and planting to the south of the site.

4.1.11 The area to the south of the industrial estate has also been identified in the Local Plan as land where a 'Country Park is in progress' although no policy is attached to this Local Plan designation. However it is considered that the proposal will not affect this proposed Country Park for the reasons outlined above, namely that the mast will be well screened, is a lattice design and is static and silent.

4.1.12 In summary, it is therefore considered that the proposed development will not adversely effect the nature or ability of the flood plain to store water, nor will it increase the number of people or properties at risk from flooding. In addition the Environment Agency did not object to this proposal. Also the Local Planning Authority made no objection to the proposal on the grounds of non conformity with these flood restriction policies.

4.1.13 Additionally, the proposal accords with Development Plan policy as well as Government guidance (as set out in Section 3 of this report) for the provision of a telecommunications service in this area whilst minimising the environmental impact. In addition to the above there are material planning considerations which are considered to add weight to allow this proposal as set out below.

4.2 Issue 2: Whether there is a proven need for a telecommunications installation

4.2.1 The issue of need for an installation in this location is not in dispute with the Local Planning Authority. Indeed paragraph 6 of PPG8 states that Local Planning Authorities should not question the need for the service which a proposed development is to provide nor seek to prevent competition between operators. Additionally, the proposal is for a prior approval application and as such siting and appearance are the only factors that can be considered, the principle having been accepted.

4.2.2 The installation is needed to provide improved coverage to Charvil East and the surrounding area and to provide a continuous service to the BT Cellnet network.

4.2.3 The Cell Planner has confirmed that the area is deficient in coverage and that a mast is required to improve the level of coverage to the East of Charvil. Additionally the sites in neighbouring cells do not provide the required level of coverage to this cell and a new site is required.

Licensing Requirements

4.2.4 The Appellant has been licensed to provide a personal communications network (PCN) within the United Kingdom as a Public Telecommunications Code System Operator and as such has requirements imposed upon it. PCN systems are designated as Public Telecommunications Systems under Section 9 of the Telecommunications Act 1984.

4.2.5 With changes in technology and the increase in demand for the system, it has been necessary to provide coverage to areas which until now have not benefited from access to the Appellant's mobile telephone network and to increase capacity and quality of service. Network expansion is conducted in line with the license obligations imposed on the Appellant, which are designed to protect the environment, whilst providing for customer demand.

Mast Height

4.2.6 The Appellant's radio cell planners calculated that a mast of 12.5 metres is required in this location to enable signals to clear the height of trees and topographical features and therefore achieve an effective signal penetration across the target area. If the antennae were to be any lower the installation would not be able to provide the necessary coverage.

National Network

4.2.7 The nature of the Appellant's system is further explained in a statement contained as **Appendix 1**, which emphasises the importance that is placed on the establishment of the network as part of an advanced national public telecommunications system.

4.2.8 In summary, the Appellant has been licensed to provide a personal communications network (PCN) within the United Kingdom and is a Public Telecommunications Code System Operator. There is a demonstrable need for an improved level of coverage to the area surrounding Charvil East. The Local Planning Authority cannot, and indeed in this case have not, questioned the need for the installation.

4.3 Issue 3: Site Selection and Alternatives

4.3.1 Site selection in this instance was determined by the need to fill the identified coverage deficiency in Charvil East and meet the Appellant's

coverage requirements. Given that the Appellant's network is radio based, radio waves have a limited distance over which they can travel, therefore, in order to provide coverage with the minimum number of base stations, a defined search area is established. The search area was constrained by topographical features and the built up residential nature of the surrounding area.

4.3.2 The Appellant is obliged where possible to share sites and to use existing buildings or masts. This obligation is imposed upon it via its Code System Operator Licence, PPG8 and the Code of Best Practice as well as Local Plan Policies.

4.3.3 The site was selected to provide improved coverage to the area around Charvil East. Within the cell area a number of other locations were considered but subsequently rejected for the reasons set out below.

- **Charvil Farm** – the site owner was not interested in having a telecommunications proposal located on his land as residential development is planned for this site;
- **Agricultural land to the north of Charvil** – there was no interest from the site owner in having a telecommunications installation on their land;
- **Moorland Lodge Hotel** – this proposal was considered too close to residential development and was therefore discounted;
- **Texaco Petrol Station** – this site was too close to residential development and was subsequently rejected;
- **Charvil Village Hall** – there was no response from the landowner;
- **Relocating the mast on the western boundary of the piece of open land behind the Total Tyres Warehouse** – this location was originally identified as the preferred site as it was located adjacent to two 25 metre high poplar trees. This location was preferred as it was further away from neighbouring businesses and further out of site of the main road. However the proximity of the tall poplar trees did not allow a clear signal from the mast. Therefore the location was rejected and the preferred location of the mast was moved to its current site.

4.3.4 The Local Planning Authority did not identify any alternative locations for the installation or any existing masts or buildings upon which the antennae could be located. The proposal was located within an industrial area, is well screened by two tall conifer trees and it is therefore considered that the proposed site is the most appropriate location within the cell area to provide the improved level of coverage required.

4.4 Issue 4: Visual Amenity

4.4.1 The proposed mast will be located on the southern boundary of a grassed area at the back of an industrial warehouse. The main part of this warehouse is used by Total Tyres Limited. The warehouse is used as a storage depot and workshop for the business. The front portion of the warehouse building is used as offices for a company called Taylors Freezers UK. To the north east of the proposed site lies a car repair garage. Both the warehouse and the adjacent garage are large two to three storey brick and corrugated sheds with pitched roofs and large entrance doors. In-between the two industrial warehouses is a large tarmaced area which is used for parking. At the front of the industrial estate is a single storey pitched roof brick built office building.

4.4.2 Surrounding the industrial area is a two metre high chain link fence. Running alongside this fence are a number of trees and bushes that provide effective screening for the industrial estate from the surrounding area. The most prominent trees are a row of 25 metre high poplar trees that located are on the western boundary of the industrial estate. Located along the southern boundary fence of the industrial estate, and extending southwards, is an area of trees growing around a drainage ditch that range up to 12 metres in height. This area of vegetation in particular the tall trees will provide a backdrop for the mast from any views from the main road, entrance to the industrial estate and from the proposed Country Park to the south. There are a number of newly planted conifers in front of the chain link fence at the entrance to the industrial estate that will in time provide further screening of the mast and, more widely, the whole of the industrial estate.

4.4.3 The proposed location of the mast is at the southern end of the industrial estate. Immediately to the west of the proposed site are two 12 metre high conifer trees that provide an effective screen and backdrop for the mast. From the main road and entrance industrial the mast will be seen alongside these two conifers. Views of the mast from the road will be seen against the backdrop of the dense semi natural plant that exists to the south of the sight. It is considered that the 12.5 metre mast will not look out of place set next to these tall trees, especially considering that it is static and silent and designed as a lattice tower.

4.4.4 The industrial estate is located on the A3032 Old Bath Road that runs between Twyford and Charvil. Views of the proposal from this road will see the mast located in-between the two warehouse buildings in an industrial setting and against the backdrop of a mature belt of trees. In addition the mast is approximately 40 metres and from longer range views it will appear insignificant.

4.4.5 From the main road there are two particularly tall areas of tree planting that add height to the local views. These are the 25 metre high poplars to the west of the proposed site (to the right of views looking into the industrial estate) and a row of tall 12-18 metre high conifer trees that run alongside the chain link fence that separates the Total Tyres Warehouse and the car repair garage. Seen against these tall features, the mast will not look out of place.

4.4.6 From the neighbouring car service repair garage to the north east of the proposed site, views of the mast will be minimised by the 12 metre high conifers that lie immediately to the east of the proposed site. These will provide effective screening. Further north along the boundary fence between the two neighbouring businesses is a row of conifer trees. In the gap between these trees and the mast site there is no planting and views from the car repair garage will be most prominent through this gap. However, where the mast is visible it will be seen against the backdrop of the mature, dense semi natural planting to the south of the site. Additionally the lattice design of the mast will allow views through it. Also the proposed development is static and silent in operation and contains no moving parts and as such attention will not be drawn to it.

4.4.7 The proposal is located on land to the rear of Total Tyres Limited. From this warehouse the mast will be seen against the backdrop of the 12 metre high conifer trees to the west and the dense semi natural areas of planting to the south.

4.4.8 Therefore in conclusion the siting of the proposed mast within the curtilege of an industrial estate coupled with the fact that it will be seen against the backdrop of a number of tall and dense trees, it is considered that the visual impact of the proposed mast will be minimal.

4.5 Issue 5: The Local Planning Authorities Reason for Refusal (Health and Safety Reasons):

4.5.1 The Local Planning Authority refused the proposal as it was considered unacceptable in view of its proximity to places of work. This reason relates to a Council guideline for telecommunications development that states that they must be located at least 60 metres away from residential properties or any other structures where there is a "prolonged human presence". The reason behind this is that such development normally attracts strong local opposition. A letter from Wokingham District Council setting out justification for this Council guideline is set out in **Appendix 8**. The penultimate paragraph of this letter states that the Local Authority "frequently allowed mast sharing on existing sites, even though a higher more visually obtrusive mast has been required". This would indicate that the issue of visual amenity is not the key consideration of this Council policy.

4.5.2 This suggests that health and safety are the key considerations concerning this Council guideline. As has been described in Section 3 the Local Planning Authority cannot refuse telecommunication proposals on the grounds of health and safety issues. Indeed, as **Appendix 9** shows the District Council's Environmental Health Officer had no objection to the proposal on health grounds. **Appendix 10** shows that emissions from the mast fall within ICNIRP public exposure guidelines. In addition **Appendix 10** also shows that the level of emissions at the two nearest warehouse buildings (located approximately 31 and 34 metres away from the proposed mast) will be less than 0.005% of the ICNIRP public exposure guidelines. It is therefore clear that the proposal complies with Government guidelines for emission levels.

4.5.3 Another reason why this 60 metre ruling policy should not have been part of the reason for refusal is because the policy was not part of the Wokingham Local Plan and has therefore not been through the normal public consultation process that Local Plan policies are required to go through. As stated in Section 3, PPG1 states that little weight should be attached to these policies and should therefore not be confidently relied upon as a reason for refusal. Additionally the Council guideline relates to telecommunications development on Council owned land and not, as in this case, privately owned land.

4.5.4 Section 54A of the Town and Country Planning Act 1990 (As Amended) states that regard has to be had to the development plan and determinations shall be made in accordance with the development plan unless material considerations indicate otherwise. In their reason for refusal, the Local Planning Authority did not make any reference to non-compliance with Local Plan policies.

4.5.5 A letter to all Council Leaders in England from the former Minister for Planning dated 29 June 2000 sets out a number of points relating to health and planning issues in light of the conclusions of the Stewart Report. The letter restated the conclusions of the Stewart Report that "the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines". The letter then went on to state that "Local Planning Authorities should continue to deal with planning applications for telecommunications on the basis of the current legislative arrangements and policy guidance. We have heard that some authorities have unilaterally imposed a ban or moratorium on mobile phone applications on health grounds. In the Governments view such a blanket decision is wholly unjustified".

4.5.6 The Government accepts the precautionary approach as advocated by the Stewart Report but reiterates that this does not mean that individual local authorities should introduce their own precautionary policies for

determining applications for mobile phone base stations as this is a "recipe for confusion and uncertainty". The letter concludes by stating that "if a proposed development meets the ICNIRP guidelines (as recommended by Stewart on a precautionary basis), it should not be necessary for a planning authority to consider the health effects further. This letter is set out in **Appendix 4**.

4.5.7 A press release 16 March 2001 reaffirmed the Government's stance on the health effects of telecommunications installations and reaffirmed the conclusions of the Stewart Report and the approach that Local Planning Authorities should take with regards to the health effects of telecommunications installations. This press release also stated "The planning system is not the appropriate mechanism for determining health safeguards". This press release is set out in **Appendix 5**.

4.5.8 Therefore in conclusion it is considered that the Local Planning Authority's reason for refusal for this prior approval notification was not based on justifiable grounds. The Local Planning Authority's Environmental Health Officer has confirmed that there are no concerns regarding health and safety. This confirms the conclusions of the Stewart Report and subsequent Government press releases that state that health and safety should not be the basis for refusing telecommunications installations.

4.5.9 There was one letter of objection to this proposal. The proposal complies with ICNIRP guidelines for levels of emissions from the antennae. As a result there is no basis for any perception of fear in this instance. The mast will not pose a threat to health and safety of those working or visiting the nearby industrial units.

4.6 Relevant Appeal Decisions

4.6.1 The following appeal decisions raise similar issues concerning health and safety to those of this appeal and as such are considered relevant in this case.

4.6.2 In Planning Appeal Reference **T/APP/H1515/A/99/1031324/P4** (copy attached as **Appendix 11**) which concerned the decision of Brentwood Borough Council to refuse planning permission for a 25 metre monopole complete with antennae and equipment cabinet on land at Thriftwood Scout Camp, Orchard Avenue, Brentwood, Essex the Planning Inspector allowed the appeal having considered whether the proposal would cause unacceptable risks to human health. In concluding the Inspector stated "Government advice does not support the need for the adoption of a precautionary approach to telecommunications development and no evidence has been submitted which is sufficient to convince me that there are any particular circumstances within Brentwood Borough which justify the adoption of such an approach. On that basis, I do not consider that there is a

justification for rejecting the proposal before me on health and safety grounds".

4.6.3 Appeal decision **T/APP/L2250/A/99/1034689/P4** which concerns the decision of Shepway District Council to refuse planning permission for the erection of a 22.5 metre monopole mast with three cross polar antennae, two dish antennae and associated compound with equipment cabin on land at H S Jackson & Son (Fencing) Limited, Lyme Bridge Green, Stowting Common, Stowting, Nr. Ashford, Kent (copy enclosed as **Appendix 11**).

4.6.4 The Planning Inspector considered two issues, firstly the health risks associated with the development and having dismissed those with reference to current Government guidelines and standards the Inspector went on to consider the effect on the character and appearance of the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area within which the mast was proposed.

4.6.5 In concluding the Inspector stated, "I have concluded that the possibility of harm to health would not justify withholding permission in the circumstances of this appeal. I have also concluded that the very limited harm to the landscape of the Area of Outstanding Natural Beauty and Special Landscape Area would be outweighed by the need for the installation in the absence of more environmentally suitable mast sharing or alternative siting possibilities. In view of the need for the facility, and my judgement that the proposal would satisfy Policy TR11 of the Adopted Structure Plan and Policy U9 of the Adopted Local Plan, I also consider that the need is a material consideration which indicates that approval should be granted, notwithstanding the limited conflict with the policies of the Development Plan of the protection of the Area of Outstanding Natural Beauty, Special Landscape Area and environment of Kent more generally. Even those policies accept that the economic and social wellbeing of the area is a relevant consideration and PPG8 refers to modern telecommunications being an essential and beneficial element in the life of the local community and in the national economy."

4.6.6 In appeal reference **T/APP/X0360/A/99/1017116/P2** which concerned the decision of Wokingham District Council's decision to refuse a 20 metre slimline monopole with minicabin at Hatch Farm, Mill Lane, Sindlesham (copy attached as **Appendix 11**). The Inspector considered that the main issue was the impact of the development on the landscape of the area. The Inspector considered that the monopole would not be intrusive and referred to the health issue stating: "The Council's sole reason for refusal relates to public concern as to the health hazard which might be posed by the development. In considering this matter, I am guided by the advice in Planning Policy Guidance Note 1, which states that local opposition is not in itself a ground for refusing planning permission, unless that opposition is founded upon valid

planning reasons which can be substantiated. I recognise that perceived fears are capable of being a material consideration, provided those fears are reasonably related to the development...In addition, PPG8 advises that radiation safety is a matter for the Health and Safety Executive and I am also aware of the role of the National Radiological Protection Board. I do not find that this matter is sufficient to justify withholding planning permission." The appeal was allowed.

4.6.7 Planning appeal reference **T/APP/H1515/A/98/1214353/P2** concerned the decision of Brentwood District Council to refuse planning permission for the erection of a replacement aerial, support tower and radio equipment cabin at the Essex County Council Fire and Rescue Service at Rayleigh Close, Brentwood (copy attached as **Appendix 11**). The appeal referred to the health issue and stated: "Residents express some concern about the potential health effects of the proposed installation, for example from electromagnetic fields. It has been held in law that the perception of danger may be a material planning consideration. No conclusive evidence has been put to me in this case that the proposed installation would have any significant effect on human health. In this respect I am not aware of any material difference between the circumstances of this appeal and those described in the report 'Radio frequency electromagnetic fields at Milford Haven Fire Station'.

4.6.8 Two of the conclusions of that report were that the measured power densities of the PCN signals were very much below the investigation level of the National Radiological Protection Board (NRPB), and that adverse health effects would not occur. You state that the NRPB has confirmed that the proposed installation meets the relevant safety guidelines. In these circumstances the perception that there may be a risk to health is insufficient to outweigh my conclusions on the main issue that planning permission should be granted."

4.6.9 In the above decision the Planning Inspector took account of the public concerns as to possible health risks, but on the basis of the other material planning considerations, including the advice of the NRPB, overturned the Local Planning Authority's refusal of planning permission on health grounds. For the reasons set out above, the Appellants submit that the Planning Inspector should take the same approach in the present case.

4.6.10 There are similarities between these appeals and the Charvil East appeal site, especially concerning health and safety issues.

5. SUMMARY AND CONCLUSIONS

5.1 Summary

5.1.1 Prior approval notification reference TL/2000/2981 concerned the erection of a 12.5 metre high mast, three dual polar antennae and radio housing equipment on land to the rear of Total Tyres Ltd., Denmark House, Old Bath Road, Charvil, Reading, Berkshire, RG10 9QJ. The proposal is located on a grassed area to the rear of the tyre warehouse. The Local Planning Authority objected to the proposal on the grounds of its proximity to places of work. The two nearest businesses are the tyre warehouse and the neighbouring car servicing garage. Adjacent trees will provide screening and a backdrop for the lattice mast.

5.1.2 The main issue of the appeal is the proposal's conformity with Development Plan policies and the Local Authority's reason for refusal based on a telecommunications policy that had not been set out in the Local Plan. Other reasons why this appeal should be allowed are the need for the mast, which the Appellant is obliged to provide under its Code System Operator Licence, the lack of suitable alternatives, the minimal visual impact the proposal will have on the

5.2 Conclusions

5.2.1 On the basis of the information contained in this statement we draw the following conclusions:

1 The proposal accords with Development Plan policy and Government guidance relating to telecommunications development.

2 There is a clearly identified need for an installation to provide improved coverage to Charvil East.

3 Meeting this need is a material consideration that the Appellant is legally obliged under its Code System Operator Licence and Government guidance to meet. Moreover the application is a prior approval notification whereby the Local Planning Authority have limited powers to object to the siting and appearance of the proposed development only, the principle having been accepted. There is no risk to amenity and therefore no basis for the Local Planning Authority to refuse permission.

4 The design and siting of the proposed development utilises a lattice style structure. It will be no higher than the surrounding trees and will therefore not have any adverse visual impact.

5 The Appellant has considered alternative locations. However these were all unsuitable. In addition there were no opportunities for mast or site sharing. Therefore the siting of this proposal in an

industrial estate is considered the most appropriate location to improve the level of coverage to the cell area.

6 The Local Planning Authority refused the proposed mast on the grounds that it was considered unacceptable in close proximity to places of work. This reason relates to Council guidelines that do not allow telecommunications masts on Council land or buildings within 60 metres of residential properties or other structures where there is a prolonged human presence. These guidelines have not been set out in the Local Plan and as such have not been subject to public consultation as set out in Government guidance and therefore little weight should be attached to them. Additionally this policy relates to development on Council owned land, which this location is not.

7 It has been clearly demonstrated that the proposed development would operate well within the ICNIRP public exposure guidelines as adopted by the Government on a precautionary basis. As such there are no grounds for any public perception of fear of for refusing this appeal on health and safety grounds.

8 The above conclusions have been confirmed by Inspectors in other appeals with very similar issues in such appeals. Inspectors have found that the advice contained within PPG8 and the obligations placed upon License Code Operators are sufficient to outweigh any slight impact which the mast may have on the surrounding area.

5.2.2 For the above reasons, it is respectfully requested that the appeal be allowed.

RURAL PROFESSIONAL
SERVICES & VALUATIONS

•

ESTATE MANAGEMENT

•

FARMING

•

COMMERCIAL PROPERTY

•

RESIDENTIAL SALES & PURCHASES

•

ARCHITECTURAL, BUILDING SURVEYING & DESIGN

•

PLANNING & DEVELOPMENT

•

TELECOMMUNICATIONS

•

ENVIRONMENTAL MANAGEMENT

BATH	24 Barton Street, Bath Avon, BA1 1HG Telephone: (01225) 427000 Fax: (01225) 463000
CAMBRIDGE	Conqueror House, Vision Park Histon, Cambridge, CB4 9ZR Telephone: (01223) 209700 Fax: (01223) 233305
NEWARK	Collingham, Newark Nottinghamshire, NG23 7LG Telephone: (01636) 892456 Fax: (01636) 893045
NORWICH	48 Prince of Wales Road Norwich, Norfolk, NR1 1LL Telephone: (01603) 612626 Fax (01603) 615925
OXFORD	8 Oxford Street, Woodstock Oxford, OX20 1TP Telephone: (01993) 811624 Fax: (01993) 812760 DX: Woodstock 53701
SHREWSBURY	3 Claremont Bank, Shrewsbury Shropshire, SY1 1RW Telephone: (01743) 232477 Fax: (01743) 244151
SOLIHULL	1741 Warwick Road Knowle, Solihull B93 0LX Telephone: (01564) 779189 Fax: (01564) 779049 DX: Knowle 18770

mailto@smith-woolley.co.uk www.smith-woolley.co.uk

AMC AGENT

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The Planning Inspectorate

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Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/0360/A/01/1069484 GRID REF: _____

APPEAL BY: Telecom Securicor Cellular Radio Ltd

SITE: Land N/o Taylor Breezer (UK) Plc, Old Bath Rd, Charvil

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the 'starting date' given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1.	Do you agree to the written representations procedure?	YES / ~~NO~~
OR	Do you wish to be heard by an Inspector at: a. a local inquiry?	~~YES~~ / NO
	or b. a hearing?	~~YES~~ / NO
2.	If the written procedure is agreed, could the Inspector make an unaccompanied site visit? ***(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)***	~~YES~~ / NO
3.	Does the appeal relate to an application for approval of reserved matters?	~~YES~~ / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	~~YES~~ / ~~NO~~ / NA
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	~~YES~~ / NO

6. Is the appeal site within an approved Green Belt or AONB? Please specify which	~~YES~~ / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	~~YES~~ / NO
8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers.	~~YES~~ / NO
b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	~~YES~~ / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	~~YES~~ / NO
10. Does the appeal relate to an application for conservation area consent?	~~YES~~ / NO
11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	~~YES~~ / NO Grade I / II* / II
b. Would the proposed development affect the setting of a listed building? If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	~~YES~~ / NO
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	~~YES~~ / NO
13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	~~YES~~ / NO
b. If YES, was English Heritage consulted? Please attach a copy of any comments.	YES / NO
14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	~~YES~~ / NO
b. Are any protected species likely to be affected by the proposals? If YES, please give details.	~~YES~~ / NO

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:		
a Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch1 Sch 2 col 1	
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO	
c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.	~~YES~~ / NO	
	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	2	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. Any other relevant information or correspondence you consider we should be aware of.		✓

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by? — 30/08/01

b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.

	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	5	
ii) the planning officer's report to committee		✓
iii) any relevant committee minute		✓

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

Do you intend to send another statement about this appeal? If NO, please send the following information:- — YES / ~~NO~~

a. In non-determination cases:

i) what the decision notice would have said;

ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

i) the relevant planning history;

ii) any supplementary reasons for the decision on the application;

iii) matters which you want our Inspector to note at the site visit.

18. THE MAYOR OF LONDON CASES ONLY

a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification. — YES / NO

b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction. — YES / NO

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature: [signature] on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 27/09/01 our ref: TL/2000/2981

Please tell us of any changes to the information you have given on this form.

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Tel. (0118) 974 6448 (Direct Line)
Date. July 25, 2001
My ref. TL/2000/2981
Your ref.

Prince Brothers & Staff
Grove Service Station & White
Bridge Garage
Old Bath Road
Twyford
RG10 9QJ

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Telecom Securicor Cellular Radio Ltd
SITE: Land rear of Taylor Freezer (UK) PLC, Old Bath Rd, Charvil
PROPOSAL: Proposed erection of 12.5 metre high mast with 3 dual polar antennae & 1 radio equipment housing

I am writing to inform you, that this appeal has been lodged with The Planning Inspectorate, and will be dealt with by means of written statements by the appellant and the Council.

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate and copied to the appellant

As your interests may be affected, you can give your views on the appeal in writing to Miss A Groves The Planning Inspectorate, Room 3 / 03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. You should, if possible, send three copies quoting reference APP/X0360/A/01/1069484. Comments received after 30/08/2001 will not normally be seen by the Inspector & will be returned.

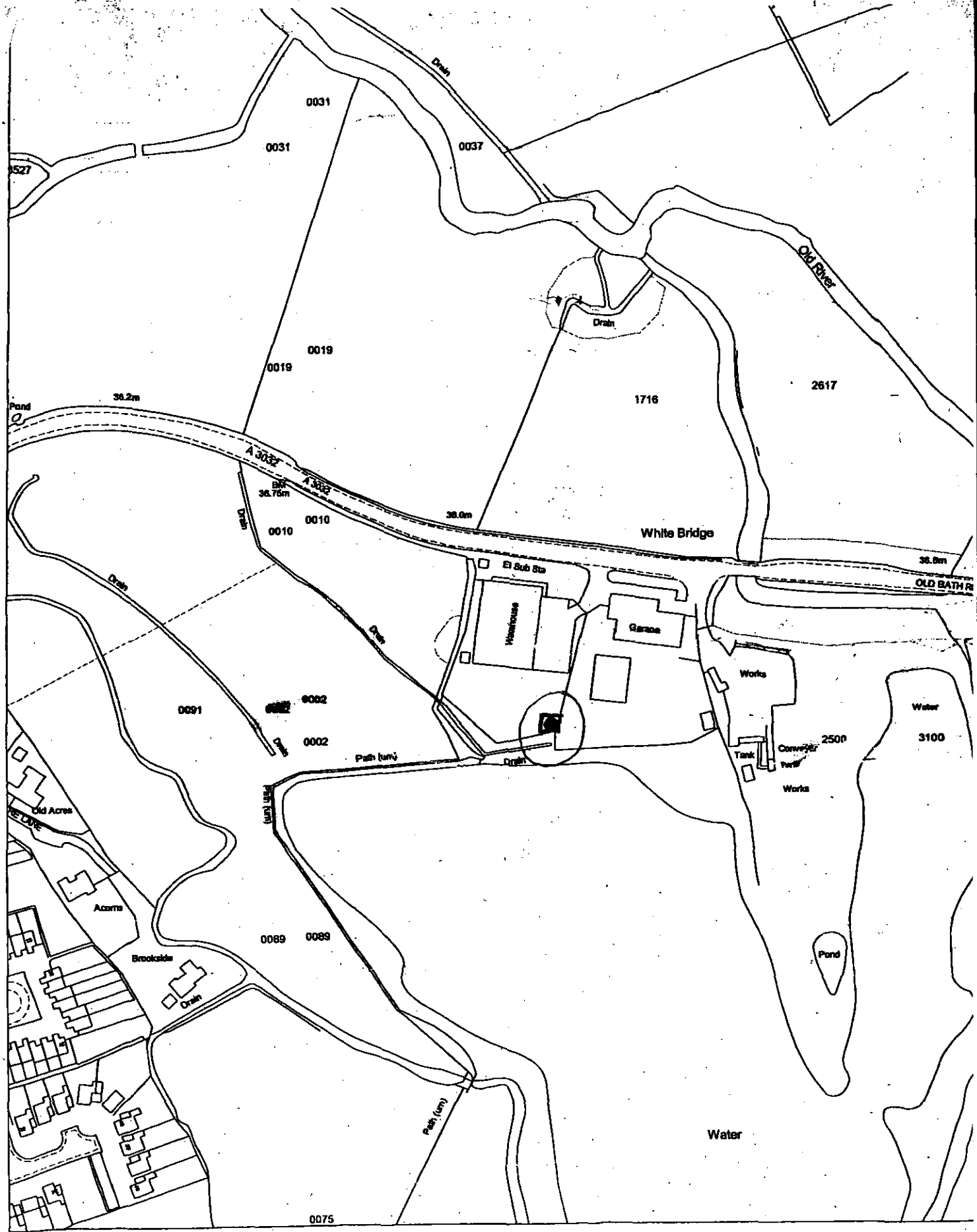
The application, decision notice, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

A free booklet, Guide to taking part in Planning Appeals, is available from this office.

If you wish to be notified of the result of the appeal, you should write to Miss Groves at the Planning Inspectorate requesting a copy of the decision. Please quote reference APP/X0360/A/01/1069484.

Yours faithfully

Denise Gumbrell
Appeals Assistant



Site Plan, Scale: 1 to 2500

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Date: 25 July 2001

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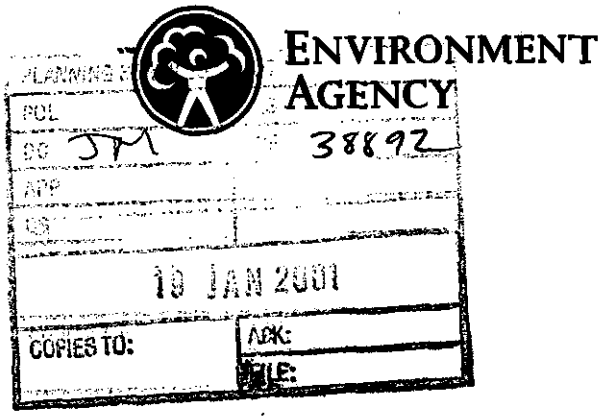
Our ref: SP\2000\002890\001
Your ref: TL/2000/2981

Date: 16th January 2001



District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Joss Miller

Dear Sir/Madam

LAND REAR OF TAYLOR FREEZER (UK) PLC, OLD BATH ROAD, CHARVIL OLD BATH ROAD, CHARVIL, READING

Thank you for your letter dated 14 December 2000 which was received on 19 December 2000. You are asked to quote the following reference in any correspondence: SU77NE/9/39.

The Environment Agency has no objection to this proposal.

ADVICE TO PLANNING AUTHORITY

Development Control: Contact Amanda Reed on 01276 45 4331

Slabs on the site should be laid so that the top of the slab is no higher than existing ground level. Any arisings should be removed from the floodplain.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

~~Cont/d~~..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

HIGHWAYS CONSULTATION SHEET

From: Joss Miller **Date:** 14 December 2000

Application Number: TL/2000/2981

Proposal: Proposed erection of 12.5 metre high mast with 3 dual polar antennas and one radio equipment housing.

Parish: CHARVIL PARISH

Site Address:
Land Rear Of Taylor Freezer(uk) Plc, Old Bath Road, Charvil, Reading.

Applicant:
BT Cellnet C/O A P T.

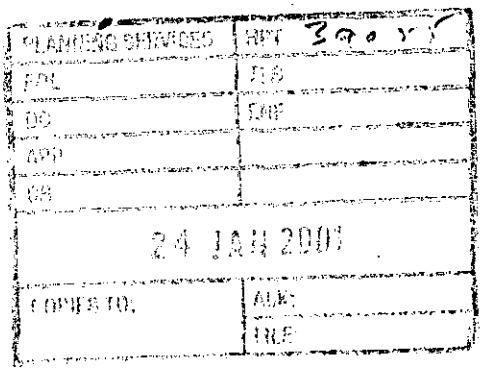
Your observations are required in respect of this application within **7 days** of the above date.

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ *Recommend approval but with condition(s) & reason(s)* **stated below**;
3) ☑ Recommend approval with **no** condition(s) or reason(s).

Signed: _____ **Print name:** Adam Coggins

18/12/00.



PLANNING OBSERVATION SHEET - 123/01

FROM: CHARVIL PARISH COUNCIL

TO: Wokingham District Council

APPLICATION NUMBER **TL2000/2981**

PROPOSAL **12.5 m Mast**

ADDRESSES **Land at rear of Taylor Freezer Plc, Old Bath Road**

APPLICANT **B T Cellnet**

CASE OFFICER **Joss Miller**

PARISH COUNCIL COMMENT

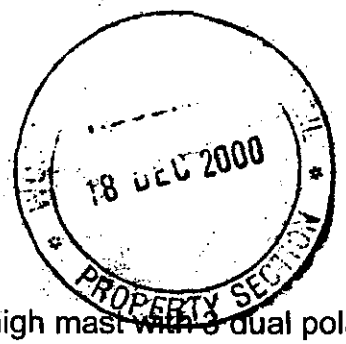
This Mast is on the edge of, and will be visible from the Country Park. Council is therefore concerned that the mast should be of a type designed to blend into the surrounding vegetation. Council would like to see the different types of mast, which are available.

Irvine Cohen
Clerk to the Council

17th January 2000

~~From:~~ FROM:
Property Dept

TO: ~~From:~~ Joss Miller



Date: 14 December 2000

Application Number: TL/2000/2981

Proposal: Proposed erection of 12.5 metre high mast ~~with 3~~ dual polar antennas and one radio equipment housing..

Site Address:
Land Rear Of Taylor Freezer(uk) Plc, Old Bath Road, Charvil, Reading.

Applicant:
BT Cellnet C/O A P T.

Your observations are required in respect of this application within **7 days** of the above date.

This section has no objection to the above proposal.

Sarah Hunter
For Head of Property Section.

WOKINGHAM DISTRICT COUNCIL

38007

MEMORANDUM

From: Joanne Ellis
Environmental Health

My Ref: JRE/RBL

To: Joss Miller
Planning

Your Ref: TW/2000/2981

Date. 19 December 2000

PROPOSED: ERECTION OF 12.5 M HIGH MAST WITH 3 DUAL POLAR ANTENNAS AND ONE RADIO EQUIPMENT HOUSING

LOCATION: LAND REAR OF TAYLOR FREEZZER, OLD BATH ROAD, CHARVIL

These proposals have been evaluated and I have no environmental health objections to planning consent but have the following comments to make in relation to this proposal:

There have been questions raised as to the possibility of adverse health effects from electromagnetic radiation from telecommunication base stations and their positioning in relation to residential development and, in particular schools.

The Chartered Institute of Environmental Healths current policy states that;

(a) despite a growing body of research, there is currently no convincing evidence that environmental exposure to electromagnetic fields (emf) generated by the transmission of electricity or mobile telephony is harmful to human health, including that of children;
(b) that there is no justification on health grounds for restricting the public use of land other than immediately around power and mobile telecommunications installations. Conversely, there is no justification for restricting the siting of such installations in proximity to other land uses:
(c) that public concerns about the effects of electromagnetic fields while in our current state of knowledge apparently without foundation, should nonetheless be recognised as genuine.
(d) The full effects of emfs on humans may not yet be realised and though it can never be conclusive, there remains a need for continuing, properly funded, independent research into the nature, extent and relevance of those effects and the consequent adequacy of prevailing exposure guidelines.

Should you have any queries please do not hesitate to contact me.

Joanne Ellis

MVRA
APPROVED

AA
APPROVED

PRINCE BROS.

(W.H. PRINCE)
MOTOR BODY REPAIR SPECIALISTS

GROVE SERVICE STATION AND **WHITE BRIDGE GARAGE**

Tel: 0118 9340309 Tel/Fax: 0118 9340402

Old Bath Road, Twyford, Berks. RG10 9QJ

COPIES TO: FILE:

20 Dec 200

Ref Application No TL/2000/2981

Site Address Land on Rear of Taylor Teague and Prince Bros. Erection of BT Aerial Mast.

Dear Sirs

I have consulted all of my employees and I have to place our most strongest of objections to this Proposal. The proposed Mast is within 20 feet of my workshops, which in our opinion is derogatory to the health of my staff We therefore must object in the strongest possible terms

Trusting we have made our protest Quite clear.

Yours Sincerely

W H Prince

for Prince Bros & Staff.



Site Plan, Scale: 1 to 2500

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Date: 25 July 2001

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