

Airwave Planning Appeal – Finchhampstead

Appeal reference number: 6011060

Address: Existing base station, West Court Land, Park Lane, Finchhampstead, Wokingham RG40 4QF

LPA Planning application reference: 252762

Response to LPA's statement

In response to the LPA's statement, we would offer the following comments in the order they appear in the statement.

Para. 5.2 – 5.8

No documents have been put forward by the LPA however, from the evidence we have seen, there is no indication that the provision of any mobile telephony was given any consideration in the approval of the housing or SANG scheme. In this case the appeal proposals are for the emergency services however the structure would be the same for a commercial network – the emergency services will need to communicate within the housing area and within the SANG (if there is an incident).

The point being made by the appellant is simply that the SANG, like the area of land which it seeks to provide and alternative to, are capable of accommodating communications infrastructure and do so across the UK.

In paras 5.6 and 5.7, it is unclear as to how the LPA then measure how effective a SANG is, if not through user numbers? They provide no explanation – however it will continue to be effective if people continue to visit it.

Reason for Refusal 1

The appellant recognises that there will be landscape impacts and impacts on trees. Permitted development rights can be used up to 30m in the designations of the appeal site. Neither are these rights are not disapplied in SANGs.

The LPA and appellant disagree on the extent of these impacts.

As the trees which surround the mast are subject to a TPO then the impact could be considered in detail at this point (should the appeal be allowed).

Reason for Refusal 2

See comments above in relation to para 5.2 – 5.8

Reason for Refusal 3

To reiterate, the prior approval process is light-touch. The drawings indicate a simple parking area, for example, there would be no need to turn any vehicle. Should construction have any further impacts on the local highway then a separate licencing regime exists with the highway authority. The appellant would need to seek their agreement in any event.

Reason for Refusal 4

Bearing in mind the disagreement over impact then it is not surprising there is also this disagreement on the information provided.

It is simply the case that the gaining planning and gaining an agreement with a landowner are prerequisites of securing a new site. The possibility of being able to achieve this is a material consideration and has led to this appeal.

The appellant, whilst still considering that this is an acceptable site, is considering other options (with the Council's Estate's department)

Summary

In terms of the impacts on trees and highway safety, the appellant considers that with separate regulatory regimes in place, and with the prior approval process being light touch, the LPA has set the bar too high and these reasons for refusal are not justified.

In terms of the impacts on landscape and the SANGS, there is an obvious disagreement over the extent and scale of the impacts. The appellant considers these to be acceptable for what is an essential public service, for those in the new housing and those using the SANG.