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11/00793/GDOT
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Three Pots
Telecommunications Mast

Appeal ref: APP/K2420/A/11/2166906/NWF

Hinckley & Bosworth BC Ref: 11/00793/GDOT

Residents' Observations and Commentary

February 2012

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1. Introduction

This document summarises the key objections raised by local residents in response to appeal APP/K2420/A/11/2166906/NWF (original planning application 11/0793/GDOT) by CAIP Limited on behalf of Vodafone UK Ltd/Telefonica UK Ltd for a telecommunications mast on Three Pots Road, Burbage, Leicestershire.

Our primary reasons for objection are:

- Visual Appearance
- Lack of consideration of alternative sites
- Failure to adhere to "best practice" guidelines

2. Visual Appearance

A 15m mast is approximately twice the height of adjacent street lighting and will dominate the local skyline, towering above existing houses and street furniture. This remains true whatever colour of mast is used.

The developers suggest that a mast would benefit from an element of tree cover. In reality:

- There is no coverage at all on three sides.
- There is only a single tree of comparable height to the mast and even this is shorter than the mast itself. All of the surrounding foliage is less than half that height.
- All of the surrounding trees are deciduous and have no foliage at all for 7 months of the year.
- The mast is in full view of all adjacent housing. It is in direct line of site of people's living rooms in the case of Wolvey Road and in line of sight of all rear facing windows and conservatories of houses at the southern end of Briarmead together with the front rooms of numbers 17 and 18 Briarmead.

An equivalent 15m mast outside the Harvester Restaurant is described by the developers themselves as ***"too visually prominent"*** [Submission Appendix 2, Section 6 Site Selection Process - and the same section in the original submission R11/00096/GDOT in February 2011 for a site on the opposite side of Three Pots Road]. That mast would be next to the A5 - a primary arterial road; in line of sight of an electricity pylon and a busy Petrol Station; and situated in front of commercial premises. We suggest this is a very forgiving background when compared to a mast sitting less than 25m from primary residential housing.

See photographs of site in Appendix I.

In conclusion, this mast is completely out of keeping with the local environment.

3. Alternative Sites

Despite a previous rejection for failure to consider alternative sites the developers only made a token effort to justify their previous position – selecting a number of "no hoper"[1] sites in justification of their previous claims. They have made no effort whatsoever to camouflage the

[1] *e.g. Insufficient space; outside target area; green belt land ....*

mast by seeking sites where it could be placed more carefully behind available foliage.

Their immediate target area is bounded by major arterial rounds, commercial premises and the Sketchley Meadows industrial estate – the edge of which rises to the same geographical height as the surrounding land. This area also includes pylons and other structures that have been ignored. Hence, it appears perfectly feasible to provide coverage by using these areas for masts rather than by building one in the centre of a heavily populated residential area.

See Appendix II for a fuller assessment of possible alternatives.

Telecommunication developments should not be decided on the basis of the cheapest and most convenient locations – particularly where they will blight people's lives. There are alternatives to this proposal without adversely impacting domestic housing. These should be pursued so that the developers fully adhere to 'best practice' as defined in government guidelines.

4. Best Practice Guidelines

Guidelines for development of Telecommunication Masts are laid out in document PPG8.

A high level assessment of the compliance of this proposal is given in Appendix III. The wording of the guidelines is clear and unambiguous – and yet does not appear to have been followed on a large number of occasions.

We do not believe this proposal pays sufficient attention to the recommendations of best practice as laid out in PPG8 and local planning guidelines.

5. Public Support

In response to the original application in February 2011 approximately 800 people signed a petition objecting to the siting of a mast in this location. A public meeting was also held and 130 residents attended – none of whom supported the proposals.

In November 2011 eighty nine people wrote to the council with their objections to this proposal.

The local residents also have the support from their local Member of Parliament, David Tredinnick (MP Bosworth constituency).

This document has the direct support of 197 local residents (see Appendix VII).

In summary there is strong public feeling that this development is flawed and should not be allowed to proceed.

6. Conclusion

The fact that this application has reached the appeal stage is actually due to a failure of the developers to plan effectively and to engage the local community rather than simply

presenting a single solution and attempting to bulldoze this through as a "fait accompli" at the lowest possible cost and effort to themselves.

This planning application specifies the wrong solution in the wrong location.

The proposal is visually unacceptable and detrimental to the local environment.

Furthermore, in the view of the majority of local residents it:

- fails to adequately consider a range of alternative sites in the locality
- does not comply with best practice as defined in planning guidelines
- is of poor and intrusive design for the given location
- lacks any concrete evidence of demand to show that this is the most effective solution and is not oversized or in danger of requiring future augmentation in the immediate vicinity

For a structure with a lifespan of many decades this is totally unacceptable.

The proposed mast is out of keeping with the local environment; against the wishes of a large majority of local residents; and there are better alternatives available.

We ask you to uphold the Planning Committee's rejection.

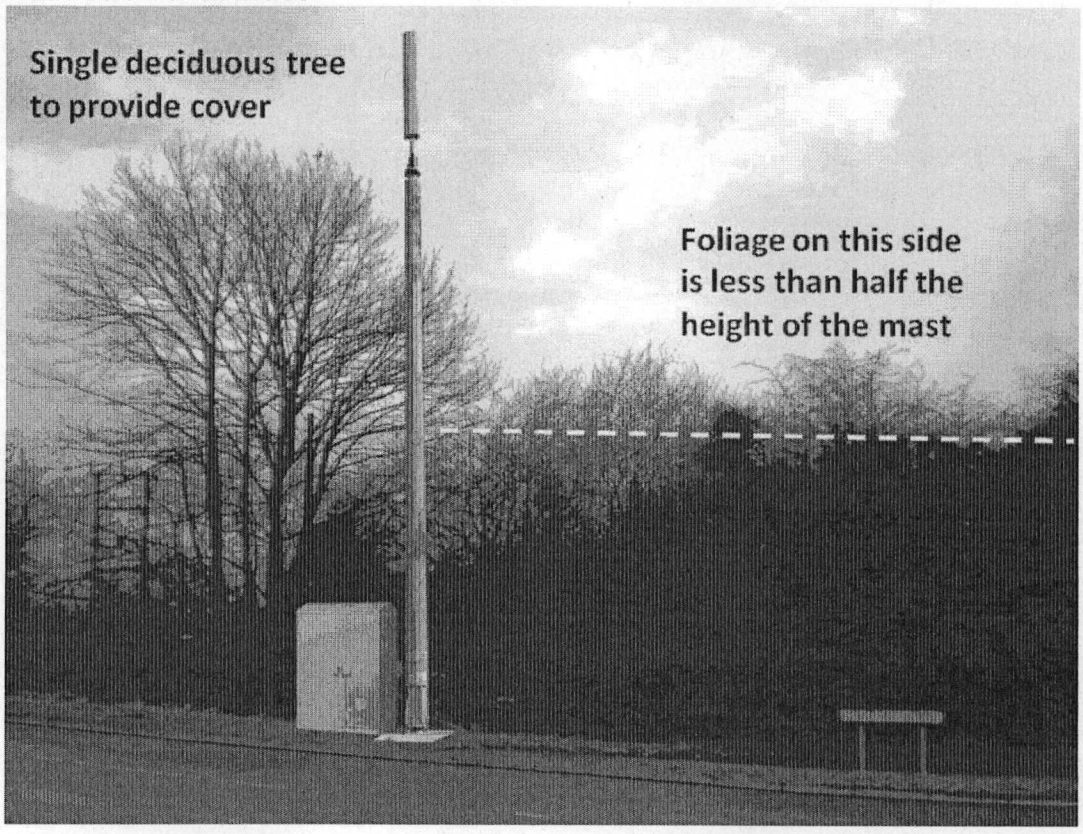
APPENDIX I

Photographs of the Site

1A Actual View



1B Illustration with mast



2A Actual View

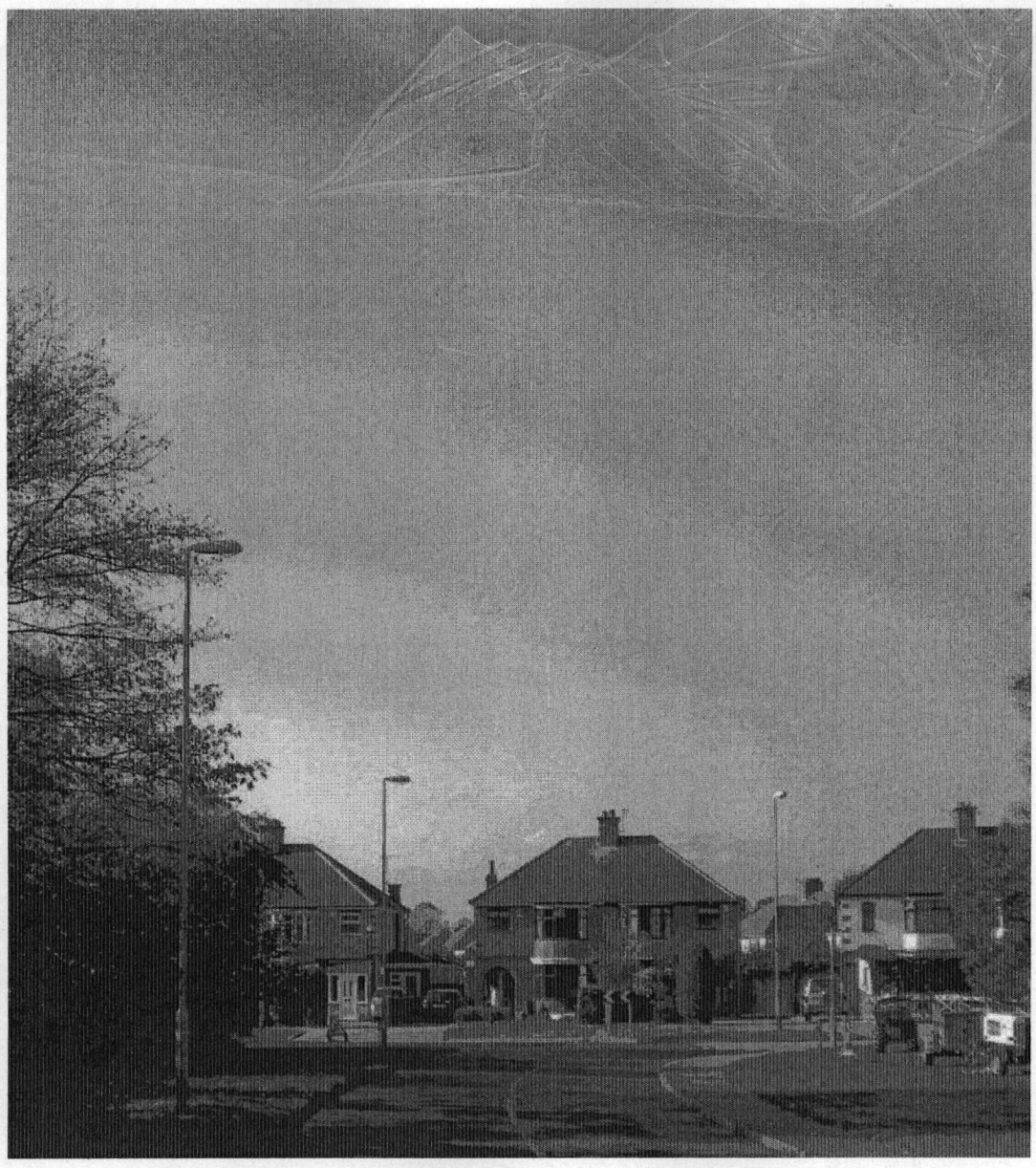
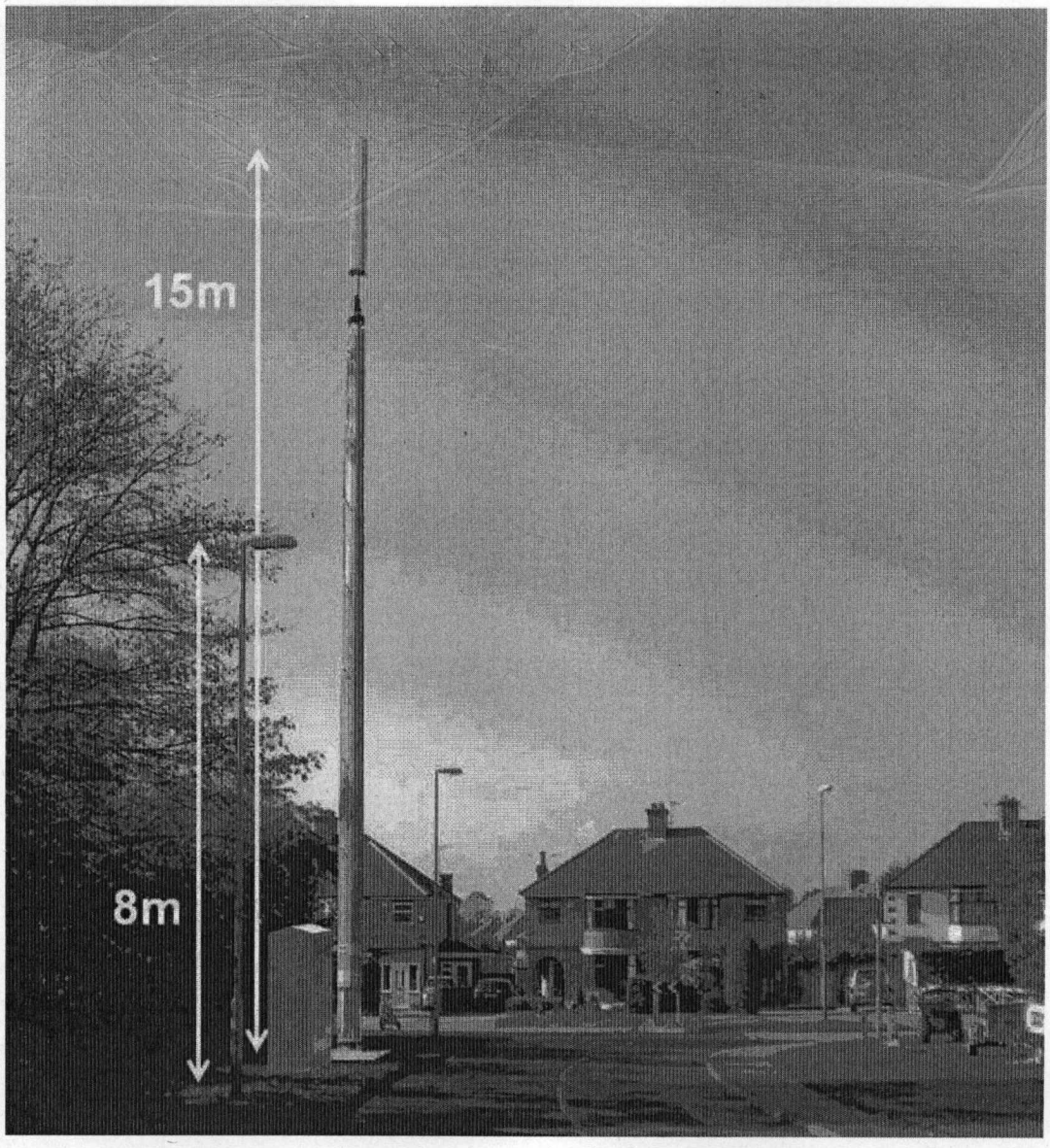


Illustration with mast to follow on next page .....

2B Illustration with mast



Although the mast pictures are only illustrations they are the most accurate picture we have – the masts shown have been correctly scaled against surrounding street lights. The developer's agent, Mr Holmes, and his team actually erected a test mast on this site on 5th August 2011. We suggest you ask him to provide photographs of this to provide an accurate demonstration of the actual height and siting.

APPENDIX II

Assessment of Alternative Sites

It is not the residents' job to conduct surveys and identify potential for the sites for the developers. The developers have chosen to keep precise details of their target area confidential so we are unable to comment fully without these. However, even the briefest of assessments would suggest that there are alternatives that do not appear to have been considered.

The developers discount land immediately south of the A5 as being "green belt". However, they fail to mention that the whole area is subject to proposals for a major development of a 100 bedroom hotel together with associated industrial and commercial units [Rugby Borough Council : Development R11/0239]. Hence, not only is there is land available for new development but, furthermore, that development stretches all the way to include a potential new roundabout at the junction of Wolvey Road and the A5. Since this is immediately next to the Harvester restaurant (site of a discounted alternative) some of it **must** lie within the target catchment area for a new mast.

A pylon to the south of the A5 is discounted as being outside the target area, but there does not appear to have been any attempt to identify suitable structures (including other existing pylons) within the target area.

The immediate target area is bounded by major arterial rounds, commercial premises and the Sketchley Meadows industrial estate – the edge of which rises to the same geographical height as the surrounding land. It also includes pylons and other structures that have been ignored. Hence, it appears perfectly feasible to provide coverage by using these areas for masts rather than by building one in the centre of a heavily populated residential area.

There are well over 40 masts situated within a range of 500m adjacent to the M69 along its length - suggesting the M69 corridor is a far more suitable location. The developers themselves state that a mast on Three Pots Road ".....will also provide coverage to the highway network including a section of the A5 (Watling Street) to the south and the M69 to the south east." [Submission Appendix 2, Section 5 Technical Justification]. Why should services to these areas be provided from within an urban area?

We are also somewhat sceptical of the developer's technical claims. In March 2011 their representative, Mr David Holmes, stood in front of the Hinckley & Bosworth Borough Council Planning Committee and stated that a mast on Three Pots Road needed to be 17.5m tall. The November submission moved the mast to the other side of the road ... and shrunk its height by 2.5m to 15m. This is a massive margin of error and suggests the developers are simply seeking to build the "largest mast they can get away with" rather than that which is strictly necessary.

APPENDIX III

Adherence to Planning Guidelines

PPG8 Makes the following recommendations:

11. *Where a mast is to be installed on or near a school or college it is important that operators discuss the proposed development with the relevant body of the school or college concerned before submitting an application for planning permission or prior approval to the local planning authority.*

There is a registered childminder at 106 Wolvey Road which is within 25 m of the mast location, but the owner of which has not been consulted. With respect to locating a telecommunications mast what is the difference between premises regularly used for child care during school hours and beyond, and a school?

14. *Protection from visual intrusion and the implications for subsequent network development will be important considerations in determining applications.*

In this case there is no effective protection from visual intrusion – the mast is in full view of numerous houses and will stand out from all surrounding street furniture.

15. *Local planning authorities and operators should work together to find the optimum environmental and network solution on a case-by-case basis.*

We see no evidence that this has been done. We understand that LPA planners did request the developers to move the mast into the area of the adjacent electricity substation in order to maximise coverage from nearby foliage, but this was ignored.

19. *In order to limit visual intrusion, the Government attaches considerable importance to keeping the numbers of radio and telecommunications masts, and of the sites for such installations, to the minimum consistent with the efficient operation of the network.*

20. *The sharing of masts and sites is strongly encouraged where that represents the optimum environmental solution in a particular case. Authorities will need to consider the cumulative impact upon the environment of additional antennas sharing a mast or masts sharing a site.*

21. *Use should also be made of existing buildings and other structures, such as electricity pylons, to site new antennas. Local planning authorities may reasonably expect applicants for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure.*

Although the developers claim that Vodafone and O2 will be sharing this site they have made no effort whatsoever to consider using existing infrastructure or sharing of local sites already in use by Orange and T-Mobile.

24. *In seeking to arrive at the best solution for an individual site, authorities and operators*

should use sympathetic design and camouflage to minimise the impact of development on the environment. Particularly in designated areas, the aim should be for apparatus to blend into the landscape.

Painting a mast brown does not enable it to fit in when it is actually twice as high as surrounding street furniture and adjacent foliage.

25. *The telecommunications industry is encouraged to continue to develop innovative design solutions, in terms not only of the structure of masts and antennas but also the materials and colouring.*

Both Vodafone and Telefonica are technology companies that pride themselves on creative and innovative solutions. We see no evidence of creative an innovative solution design in this instance. This solution appears positively medieval in design and intended to provide services at the lowest possible cost regardless of the views of the local population.

We are concerned that the mast design itself is flawed. In an attempt to comply with Government guidelines - designed to reduce the proliferation of masts - the developers are seeking to build a single mast which provides services for both Vodafone and Telefonica/O2. However, this means that the Telefonica/O2 aerial is only 12m above the ground, but the Vodafone aerial is situated 14+m above the ground. In terms of visual appearance a 12m mast would be less intrusive than a 15m mast – and this raises the prospect that aerials could be shared with existing street lighting – thereby reducing the overall level of street furniture as is also recommended by Government guidelines.

The developers' agent, Mr David Holmes, advertises his services as providing solutions on the "best possible terms"[2] (i.e. cheapest solution) for his clients – we suggest this is inappropriate for a construction with such a long expected lifespan. We suggest that such a mast must have a life expectancy in excess of 25 years over which timescale the revenue returns it generates will greatly exceed the capital cost of construction and any ground rent associated with a more acceptable site.

The extended lifespan of such a mast also justifies a fully comprehensive assessment of alternatives which genuinely addresses the concerns of local residents. Why should we blight this environment for ever more with such a badly thought out design and location?

26. Operators are encouraged to provide to the local planning authority examples of different design solutions.

27. Local planning authorities and operators are encouraged to explore possible alternative approaches, particularly the opportunities for mast and site sharing and also in terms of the location and alternative design of the apparatus.

These points do not appear to have been addressed.

[2] *Direct quote from "Telecoms" page on Adams Holmes Associates website - www.adamsholmes.co.uk.*

PPG8 Appendix Supporting Guidance

24. *The location of transmitter antennas is important, as signals from one cell will interfere with nearby cells on the same frequency. To avoid blind spots from buildings and hills, antennas must usually be placed high up.* ***In urban areas antennas are often best placed on existing buildings.***

We would repeat our assertion that the requirement for a new mast in this immediate location is not proven. There are several commercial properties in the vicinity that would be suitable for the siting of less intrusive antennas – this is the approach that Orange adopted with their use of the Barcelo Island Hotel and commercial properties on Coventry Road, Burbage.

56. *Authorities may receive representations about alleged impact of proposed telecommunications development on property values. PPG 1 notes that it is not for the planning system to protect the private interests of one person against the activities of another. Although in a particular case considerations of public interest may serve to protect private interests, the material question is not whether a particular development would cause financial or other loss to owners and occupiers of the neighbouring property,* ***but whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected.***

Nearly eight hundred local residents have expressed their view that the installation of a 15m mast will have a detrimental effect on the locality.

78. *In considering the design of an individual development, and particularly any mast development, careful consideration should be given to screening and planting. Care should be taken to accommodate the implications of seasonal leaf-fall. The boundaries of the site should be drawn large enough to accommodate the necessary landscaping.*

All of the trees and foliage near to the proposed mast are deciduous. This fact has been ignored by the developers.

Local Plans

The proposed development is also contrary to the Burbage Village Design Statement which states that *"wherever possible, an improvement in the quality and a reduction in the quantity of street furniture e.g. telecommunications boxes, is encouraged throughout the village".*

APPENDIX IV

Response to Developer's Appeal Comments

The Planning Appeal Document, submitted by Mr Richard Nash on 12th December 2011 makes the following claims in Section H Grounds For Appeal. Our commentary has been included after each point:

- *The site has been carefully selected to reduce environmental impact to a minimum and would not cause detriment to the visual amenity of the area;*

This is a subjective judgement. As we have demonstrated elsewhere in this document the proposed mast would be detrimental to the local environment.

- *The site is located adjacent to undeveloped land at the edge of the urban area and any impact of the installation on residential amenities is at an acceptable level;*

The land is **within** the urban area and the visual impact is unacceptable in the context of the existing street scene.

- *Mature trees will provide a backdrop to the installation when it is viewed from various directions;*

There is only one tree of comparable height (14m high compared to 15m for the mast itself), it is deciduous and offset from the location of the mast itself. The mast is fully exposed on three sides.

- *The siting of the installation is such that it will be viewed within the context of existing street furniture such as street lighting columns, highway signage and a bus shelter. These existing structures would provide a context of vertical features and the proposal would not result in excessive clutter in the street scene;*

The mast is approximately twice the height of the nearest street lighting and will tower above all other foliage and street furniture.

- *The mast will be of slimline design with a brown timber effect finish, which would help to assimilate it with the traditional street furniture in the locality;*

The height of the mast means it will "stick out like a sore thumb" regardless of colour.

- *The proposal is of a simple and clean design and will not appear unsightly or intrusive in the context of surrounding development;*

The design is highly intrusive on the immediate street scene and, by virtue of its height, will be visible from considerable distance.

- *The Appellants' approach to mast sharing will help reduce the number of masts required in the area, thereby reducing the impact of the overall network to the minimum degree possible;*

Not proven.

- *It is not always necessary to address alternative options as a material planning consideration (although it may be appropriate as a way of seeking to identify the environmentally optimal solution - as advised by PPG8).*

Nowhere in PPG8 does it state that the document defines "environmentally optimal" solutions – it sets out clear guidance for developers which, in this case, is being ignored.

Developers Consultation

It is our understanding that development appeals should only be made as a last resort following effective consultation between all of the parties involved. Furthermore, both Vodafone and Telefonica make clear commitments on their corporate websites to consult with local communities on issues relating to the siting of mobile phone masts.

In this case a public meeting was held in February 2011, but only at the instigation and insistence of local councillors. The developers' representatives did attend that meeting, but made no changes whatsoever to their proposals as a result of the (extensive) feedback provided.

In terms of this particular submission the developers failed to send any representatives to the Planning Committee Meeting on 15th November 2011 at which the proposal was discussed.

Although the proposal is made on behalf of Vodafone/Telefonica what limited contact we have had has been via their third party contractors – be it Cornerstone Telecommunications; David Holmes of Adams Holmes Associates; or, more recently, Richard Nash of CAIP Ltd. There has been no consistent or coherent means of engagement.

Overall, we find the attitude of these companies to be exceedingly disappointing and dismissive.

However, the most telling comment of all comes from their own submission documents:

6. Site Selection Process – alternative sites considered and not chosen (Enclose map highlighting all alternatives that have been considered by the operator)

Site[3]	Site Name and address	NGR	Reason for not choosing[4]
GF	Adjacent to Harvester Inn Watling Street Burbage Hinckley Leicestershire LE10 2JQ	E443087 N291285	P - Considered too visually prominent.

This is the one verdict upon which we all agree.

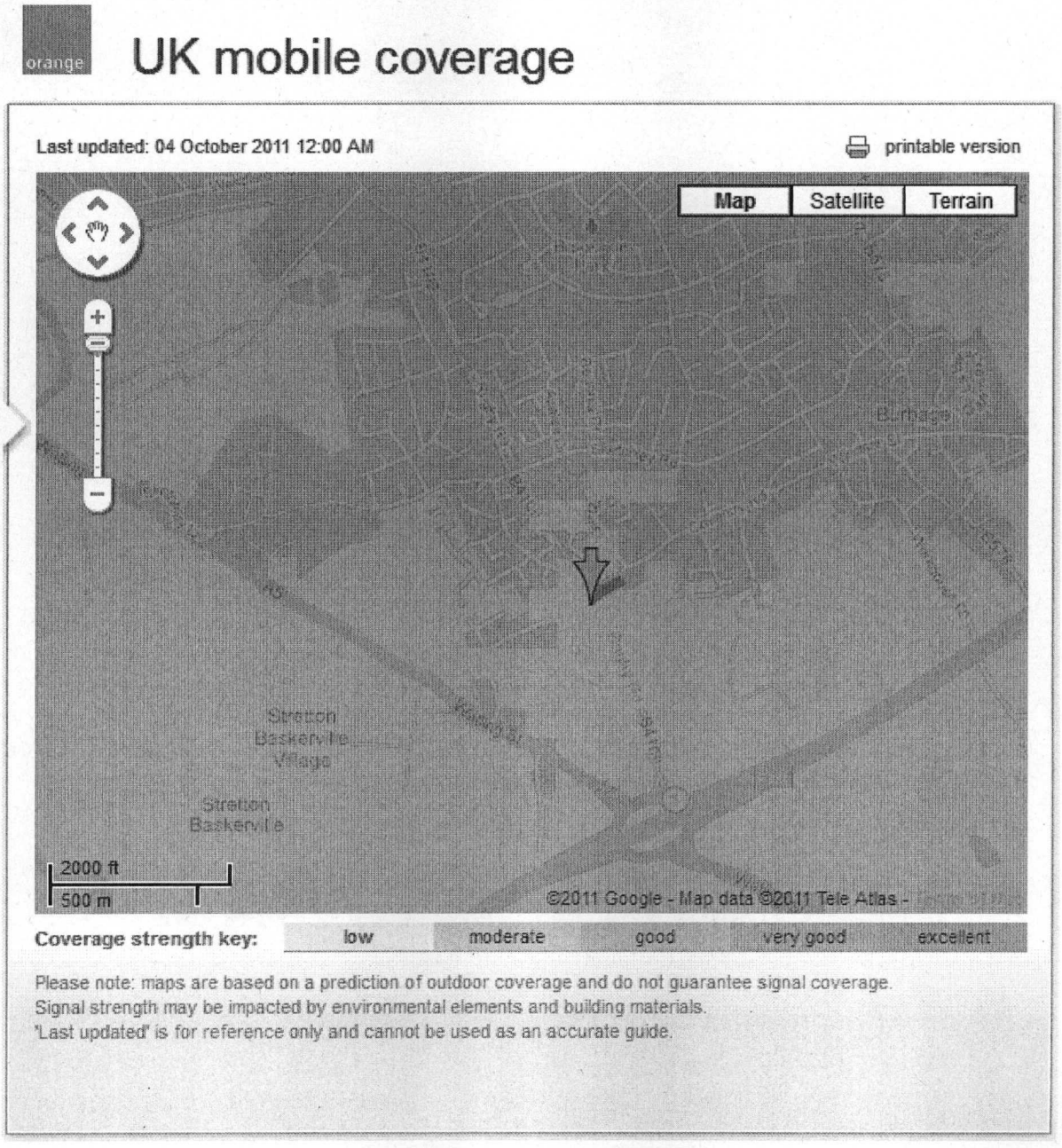
APPENDIX V

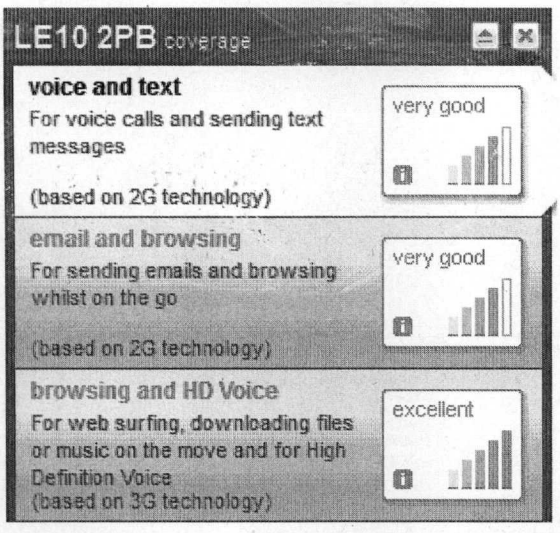
Coverage Plots / Evidence For Demand

The Developers acknowledge that their projections for mast siting are based upon computerised models [See Submission Appendix 4 Coverage Plots]. Such a computerised model can only ever be a crude approximation of reality and is entirely dependent upon the accuracy of the assumptions and variables upon which it is based.

Study of the coverage plots shows the areas of strongest signal are actually unoccupied land to the South West – suggesting this potential site is hardly an optimal choice.

We would also point to the Orange and /TMobile website examples – see below. These declare "Excellent" 3G coverage for browsing and file downloads – even though the relevant masts are situated well away from the immediate area (located on commercial premises at the Barcelo Hotel and factory units on Coventry Road).





We also keen to understand the evidence of demand for the services being offered by these companies. At the Public Meeting on 22nd March 2011 not one of the technical representatives fielded by Cornerstone on behalf of Vodafone/Telefonica (O2) were able to provide any evidence of demand, real or projected, for these services. Without this information how do we know that the mast is actually required, or that, far worse, further masts will not be required in the future in this immediate vicinity?

APPENDIX VI

Road Safety

Although the local roads authority have not chosen to comment on this application it should be noted that they lack the knowledge of day to day traffic patterns experienced by local residents. This site is exceedingly busy and increasingly dangerous to traffic.

Three Pots Road is busy with traffic, frequently being used as a short cut. The bend with Wolvey Road is blind and has been the site of numerous accidents. Visibility at the proposed site is restricted further by both parked traffic visiting the local shops and by the frequent X6 double decker bus services to Leicester and Coventry which park and wait at the stop on the corner. Research studies have conclusively proven that increased "street furniture" only serves to confuse drivers further and significantly increases the risk of accidents occurring.

On this basis alone, this site is totally unsuitable for placing further unnecessary hazards.

See pictures:




COVENTRY LEICESTER
CITY XPRESS
I catch the x6 to uni
and surf the web on
board for
FREE!