

Recommendation: **GRANT PERMISSION**

The pole the subject of Application APP/15/01029 (to determine whether prior approval is required for the siting and appearance of 1No. replacement pole 15m in height, 1No. additional cabinet and associated ancillary development) has not been sited correctly and additionally the previous evergreen screening was reduced to facilitate installation of the pole. Whilst the difference between the approved siting and

the actual siting is relatively small, in the order of 2m discrepancy, this combined with the loss of screening has had a significant impact on the appearance of the development as viewed from properties to the west. The current application has been submitted to regularise the development. As initially submitted the plans provided for a 4m high tree, but following negotiations the height of the tree has been increased to 9m.

At the time of the original application the applicant undertook a search of the area to identify suitable sites, and advised that the current site was chosen in the absence of tall buildings, areas with good tree coverage, industrial areas or existing masts which could provide a suitable site. The current site has accommodated a mast of 10m height for a number of years and lies within a small commercial area. The replacement mast provides for mast share.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Department of Trade and Industry
No comments received

Developer Services, Southern Water
No comments received

Environment Agency
No comments received

Environmental Health Manager, Community Group
No adverse comments

Highways Engineer, Development Engineer
The Highway authority have no adverse comment to this application

Landscape Team
The proposed planting is not deemed sufficient to offer adequate screening of the 15m high mast, we feel that additional Leyland Cypress' to the north east and south of the existing building would offer a better screening solution.

Officer comment. This was not required as part of the previous permission, and the main difference in visual impact relates to the outlook from properties to the west. The 9m tree now proposed has been submitted in response to this.

Natural England Government Team

No comments received

Property Services Manager

No comments received

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
If the mast had been sited and the tree left as the original application then the mast would have been hardly visible, just the top 3m (original tree was 12m). The previous 10m mast was not visible from my property as good tree coverage.	Noted
The drawings in the original application clearly shows tree coverage for the mast from my property.	Noted
The proposed planting at 4m is not what has previously been agreed with the applicant and does nothing to screen the now intrusive development.	Height of proposed tree amended to 9m
An update - today there is a silver shroud on the top quarter of the mast, even more of an eyesore now as two colours and stands out even more.	Please see section 7
The developer should comply with the approved plans.	The planning legislation allows for an applicant to submit a planning application to regularise development and this has to be considered on its merits.

Summary:

Comment:

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Visual effect
- (iii) Impact upon residential amenity

(i) Principle of development

Approval for a mast on this site was first granted in 2005, and subject to consideration of the matters set out below, the principle of a replacement mast is supported.

(ii) Visual effect

The mast, whilst designed as a timber telegraph pole is significantly higher than the telegraph poles in the area and at 15m higher than the 10m mast that was replaced. Additionally during the course of installation of the replacement mast the nearest evergreen tree was significantly cut back, resulting in this replacement mast being far more visible, and especially prominent from the west. In order to address this and in response to extensive negotiations the proposal now provides replacement planting in the form of a 9m high evergreen tree, which would help to mitigate the impact, especially when viewed from the west.

(iii) Impact upon residential amenity

The 15m high mast is visible from surrounding properties and the cutting back of the existing vegetation has resulted in the mast being intrusive and overly dominant from the residential properties in St Hermans's Caravan Estate which lies in close proximity to the west. In order to address this and in response to extensive negotiations the proposal now provides replacement planting in the form of a 9m high evergreen tree, which would help to mitigate the impact, especially when viewed from the west.

In respect to the silver shroud identified in the representations, the agent has been contacted and requested that this matter be addressed by condition. Recommended condition 4 requires the finish of the top section to be wood effect to match the rest of the mast and that this work should be carried out within 3 months of the grant of the permission. The agent has confirmed agreement to this timescale.

In relation to health and safety concerns, a Declaration of Conformity with ICNIRP Public Exposure Guidelines has previously been provided.

At the time of the original application the applicant undertook a search of the area to identify suitable sites, and advised that the current site was chosen in the absence of tall buildings, areas with good tree coverage, industrial areas or existing masts which could provide a suitable site. The current site was identified as it is within a small commercial area. The replacement mast is required to allow mast share.

8 Conclusion

The application as amended to provide for a 9m high leylandii to mitigate the loss of screening is now considered acceptable and is recommended for approval

9 RECOMMENDATION:

subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location dwg 130542 -01 issue C
Site location dwg 130542-02 Issue C
Site location dwg 130542-03 Issue C
Reason: - To ensure provision of a satisfactory development.
- 2 Within 3 months of the date of this permission the landscaping works comprising the planting of a leylandii tree minimum height when planted of 9m, as shown on the approved plans ref. 130541-02 and 130541-03, shall be carried out in accordance with the approved details. The proposed tree shall be planted and maintained in accordance with best practise recommendations set out in BS 8545:2014 Trees: from nursery to independence in the landscape, including the provision of bracing/supporting structures as required and provision for watering. In the event that the tree is removed, uprooted, destroyed, dies or become severely damaged or becomes seriously diseased within 5 years of planting it shall be replaced within the next planting season by a tree of similar size and species to be planted and maintained in accordance with best practise recommendations set out in BS 8545:2014 Trees: from nursery to independence in the landscape, including the provision of bracing/supporting structures as required and provision for watering..
Reason: To ensure the appearance of the development is satisfactory and in the interest of the amenities of nearby properties and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 Within 3 months of the date of this permission the external appearance of the top section of the mast shall be finished in a timber effect to match the remainder of the mast, such that the whole mast is finished in the timber effect finish and retained as such thereafter.
Reason: To ensure the appearance of the development is satisfactory and in the interest of the amenities of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.