

Wolverhampton City Council

OPEN DECISION ITEM

Committee / Panel	<u>PLANNING COMMITTEE</u>	Date: 9th April 2013
Originating Service Group(s)	EDUCATION AND ENTERPRISE	
Contact Officer(s)	Stephen Alexander (Head of Planning)	
Telephone Number(s)	(01902) 555610	
Title/Subject Matter	PLANNING APPLICATIONS FOR DETERMINATION	

Recommendation

Members are recommended to:

- (i) determine the submitted applications having regard to the recommendations made in respect to each one.
- (ii) note the advice set out in the Legal Context and Implications;

PLANNING COMMITTEE (9th April 2013)

Index of Applications

<u>Application No.</u>	<u>Site Address</u>	<u>Ward</u>	<u>Summary of Recommendation</u>	<u>Page</u>
13/00085/FUL 13/00086/FUL 13/00087/FUL	Gate Hangs Well Public House 128 Hurst Road Lanesfield Wolverhampton	Spring Vale	Grant subject to conditions	9
13/00065/FUL	38 Trysull Gardens Wolverhampton WV3 7LD	Merry Hill	Grant subject to conditions	16
11/00627/OUT	Jennie Lee Centre Lichfield Road Wednesfield Wolverhampton	Wednesfield South	Delegate to Interim Strategic Director to Grant	20
12/01267/FUL	48 Primrose Lane Wolverhampton WV10 8RN	Fallings Park	Grant subject to conditions	26
13/00194/TEL	Land At Junction With Bone Mill Lane And Crown Street Wolverhampton	Bushbury South And Low Hill	Grant subject to conditions	31
13/00197/TEL	Grass Verge Adjacent Bath Street Black Country Route Wolverhampton	Bilston East	Grant subject to conditions	35
13/00198/TEL	Land To The Front Of Travel Inn Broadlands Wolverhampton	Bushbury North	Grant	40

13/00193/TEL	Land Fronting Gate Hangs Well Public House Hurst Road Lanesfield Wolverhampton	Spring Vale	Grant subject to conditions	45
13/00195/TEL	Dudley Road Wolverhampton	Blakenhall	Grant subject to conditions	50
13/00192/TEL	Grass Verge At The Drove Way Wolverhampton	Oxley	Grant subject to conditions	55
13/00216/TEL	Grass Verge Adjacent Steelpark Way Wolverhampton	Wednesfield South	Grant subject to conditions	60
13/00202/TEL	Junction Of Highfields Road & Bankfield Road Wolverhampton	Bilston East	Grant subject to conditions	65
13/00205/TEL	Land Between Canal Bridge And Ex Railway Bridge Deans Road Wolverhampton	East Park	Grant subject to conditions	70
13/00206/FUL	The Drove Way Wolverhampton	Oxley	Grant subject to conditions	75
13/00203/TEL	Openreach BT Telecommunications Cabinet At Junction Overfield Drive And Black Country Route Wolverhampton	Ettingshall	Grant subject to conditions	80

13/00199/TEL	Land Fronting Murco Filling Station Codsall Road Wolverhampton	Tettenhall Regis	Grant subject to conditions	85
13/00237/TEL	Grassed Land Fronting 39-41 Birmingham New Road Wolverhampton	Ettingshall	Delegate to Interim Strategic Director to Grant	90
13/00239/FUL	Grass Verge Outside The Copper Bowl Birmingham New Road Wolverhampton	Ettingshall	Delegate to Interim Strategic Director to Grant	94
13/00217/TEL	Land East Of Junction With Manor Road Penn Road Wolverhampton	Penn	Grant subject to conditions	98
13/00240/TEL	Land North Of Junction With Springhill Lane Penn Road Wolverhampton West Midlands	Penn	Grant subject to conditions	103
13/00263/TEL	Land At Willenhall Road Service Road Corner Of East Park Way Wolverhampton	East Park	Delegate to Interim Strategic Director to Grant	108

Guidance for Members of the Public

The above index of applications and the recommendations set out in both the index and the reports reflect the views of Planning Officers on the merits of each application at the time the reports were written and the agenda sent out.

It is important to recognise that since the agenda has been prepared additional information may have been received relating each application. If this is the case it will be reported by the Planning Officers at the meeting. This could result in any of the following

- A change in recommendation
- Withdrawal of the application
- Recommendation of additional conditions
- Deferral of consideration of the application
- Change of section 106 requirements

The Committee will have read each report before the meeting and will listen to the advice from officers together with the views of any members of the public who have requested to address the Committee. The Councillors will debate the merits of each application before deciding if they want to agree, amend or disagree with the recommendation of the officers. The Committee is not bound to accept the recommendations in the report and could decide to

- Refuse permission for an application that is recommended for approval
- Grant permission for an application that is recommended for refusal
- Defer consideration of the application to enable the Committee to visit the site
- Change of section 106 requirements
- Add additional reasons for refusal
- Add additional conditions to a permission

Members of the public should be aware that in certain circumstances applications may be considered in a different order to which they are listed in the index and, therefore, no certain advice can be provided about the time at which any item may be considered.

Legal Context and Implications

The Statutory Test

- 1.1 S70 of the Town and Country Planning Act 1990 provides that where a local planning authority is called upon to determine an application for planning permission they may grant the permission, either conditionally or unconditionally or subject to such conditions as they think fit or they may refuse the planning permission. However, this is not without further restriction, as s.70 (2) of the Town and Country Planning Act 1990 requires that the authority shall have regard to the provisions of the development plan so far as material to the planning application, any local finance considerations, so far as material to the application and to any other material considerations. Further, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. Officers will give guidance on what amounts to be a material consideration in individual cases

but in general they are matters that relate to the use and development of the land. With regard to local finance considerations, this is a new provision that was introduced by the Localism Act 2011 and specific guidance will be given by officers where it is appropriate to have regard to matters of this nature in the context of the consideration of a planning application

Conditions

- 1.2 The ability to impose conditions is not unfettered and they must be only imposed for a planning purpose, they must fairly and reasonably relate to the development permitted and must not be manifestly unreasonable. Conditions should comply with Circular Guidance 11/95.

Planning Obligations

- 1.3 Planning Obligations must now as a matter of law (by virtue of the Community Infrastructure Levy Regulations 2010) comply with the following tests, namely, they must be:

- i) Necessary to make the development acceptable in planning terms
- ii) Directly related to the development; and
- iii) fairly and reasonably related in scale and kind to the development.

This means that for development or part of development that is capable of being charged Community Infrastructure Levy (CIL), whether there is a local CIL in operation or not, it will be unlawful for a planning obligation to be taken into account when determining a planning application, if the tests are not met. For those which are not capable of being charged CIL, the policy tests in the National Planning Policy Framework will apply. It should be further noted in any event that whether the CIL regulation 122 applies or not in all cases where a Planning Obligation is being considered regard should be had to the provisions of the National Planning Policy Framework as it is a material consideration.

Retrospective Applications

- 1.4 In the event that an application is retrospective it is made under S73A of the Town and Country Planning Act 1990. It should be determined as any other planning permission would be as detailed above.

Applications to extend Time-Limits for Implementing Existing Planning Permissions

- 1.5 A new application was brought into force on 1/10/09 by the Town and Country (General Development Procedure) (Amendment No 3) (England) Order 2009 (2009/2261) and the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2009 (2009/2262).

- 1.6 This measure has been introduced in order to make it easier for developers and LPAs to keep planning permissions alive for longer during the economic downturn, so that they can be more quickly implemented when economic conditions improve. It is a new category of application for planning permission, which has different requirements relating to:

- the amount of information which has to be provided on an application;
- the consultation requirements;
- the fee payable.

- 1.7 LPA's are advised to take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application will necessarily have been judged to have been acceptable at an earlier date. The application should be judged in accordance with the test in s.38(6) P&CPA 2004 (see above). The outcome of a successful application will be a new permission with a new time limit attached.
- 1.8 LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission. The process is not intended to be a rubber stamp. LPA's may refuse applications where changes in the development plan and other material considerations indicate that the proposal should no longer be treated favourably.

Reasons for the Grant or Refusal of Planning Permission

- 1.9 Members are advised that reasons must be given for both the grant or refusal of planning decisions and for the imposition of any conditions including any relevant policies or proposals from the development plan.
- 1.10 In refusing planning permission, the reasons for refusal must state clearly and precisely the full reasons for the refusal, specifying all policies and proposals in the development plan which are relevant to the decision (art 22(1)(c) GDPO 1995).
- 1.11 Where planning permission is granted (with or without conditions), the notice must include a summary of the reasons for the grant, together with a summary of the policies and proposals in the development plan which are relevant to the decision to grant planning permission (art 22(1)(a and b) GDPO 1995).
- 1.12 The purpose of the reasons is to enable any interested person, whether applicant or objector, to see whether there may be grounds for challenging the decision (see for example *Mid - Counties Co-op v Forest of Dean* [2007] EWHC 1714).

Right of Appeal

- 1.13 The applicant has a right of appeal to the Secretary of State under S78 of the Town and Country Planning Act 1990 against the refusal of planning permission or any conditions imposed thereon within 6 months save in the case of householder appeals where the time limit for appeal is 12 weeks. There is no third party right of appeal to the Secretary of State under S78.
- 1.14 The above paragraphs are intended to set the legal context only. They do not and are not intended to provide definitive legal advice on the subject matter of this report. Further detailed legal advice will be given at Planning Committee by the legal officer in attendance as deemed necessary.

The Development Plan

- 2.1 Section 38 of the 2004 Planning and Compulsory Purchase Act confirms that the **development plan**, referred to above, consists of the *development plan documents* which have been adopted or approved in relation to that area.

- 2.2 Wolverhampton's adopted Development Plan Documents are the saved policies of Wolverhampton's Unitary Development Plan (June 2006) and the West Midlands Regional Spatial Strategy.

Environmental Impact Assessment Regulations

- 3.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 require that where proposals are likely to have significant effects upon the environment, it is necessary to provide an Environmental Impact Assessment (EIA) to accompany the planning application. The EIA will provide detailed information and an assessment of the project and its likely effects upon the environment. Certain forms of development [known as 'Schedule 1 Projects'] always require an EIA, whilst a larger group of development proposals [known as 'Schedule 2 Projects'] may require an EIA in circumstances where the development is considered likely to have a "significant effect on the environment".
- 3.2 Schedule 1 Projects include developments such as:-
- Oil Refineries, chemical and steel works, airports with a runway length exceeding 2100m and toxic waste or radioactive storage or disposal depots.*
- 3.3 Schedule 2 Projects include developments such as:-
- Ore extraction and mineral processing, road improvements, waste disposal sites, chemical, food, textile or rubber industries, leisure developments such as large caravan parks, marina developments, certain urban development proposals.*
- 3.4 If it is not clear whether a development falls within Schedule 1 or Schedule 2 the applicant can ask the local authority for a "screening opinion" as to which schedule is applicable and if Schedule 2, whether an EIA is necessary.
- 3.5 Even though there may be no requirement to undertake a formal EIA (these are very rare), the local authority will still assess the environmental impact of the development in the normal way. The fact that a particular scheme does not need to be accompanied by an EIA, is not an indication that there will be no environmental effects whatsoever.

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00085/FUL
13/00086/FUL
13/00087/FUL

WARD: Spring Vale

RECEIVED: 01.02.2013

APP TYPE: Full Application

SITE: Gate Hangs Well Public House, 128 Hurst Road, Lanesfield, Wolverhampton

PROPOSAL: 13/00085/FUL - Proposed alterations to the front and side elevations including the installation of an ATM, new shop front and access ramp
13/00086/FUL - Installation of plant equipment and associated screening to service yard. Raising roof of the rear element of the property, installation of canopy, delivery platform and access ramp
13/00087/FUL - Resurface car park, installation of retractable bollards and external lighting scheme

APPLICANT:
Tesco Stores Ltd
PO Box 400
Cirrus Building
Shire Park
Herts
AL7 1AB

AGENT:
Mrs Joanne Rams
CgMs
7th Floor
140 London Wall
London
EC2Y 5DN

COMMITTEE REPORT:

1. Site Description

- 1.1 The site contains the former Gate Hangs Well public house with a car park to the side and rear. The public house has been closed for several months.
- 1.2 To the east of the site is a small parade of shops.
- 1.3 To the immediate west and adjoining the boundary with the site is a residential property, 130 Hurst Road. Beyond this the surrounding area is largely residential.

2. Application details

- 2.1 The building has a lawful planning use as a public house. In accordance with the Town and Country Planning (General Permitted Development) Order, planning permission is not required to change the use of the floorspace to retail (use class A1).

- 2.2 Planning permission was granted in June 2012 (12/00110/FUL) for a single storey rear extension. In the event that the permission was implemented and the building converted to a retail store a planning condition was applied to this permission restricting the hours of opening to 0700 - 2300 hours Monday to Sunday. With a further condition restricting the hours of delivery to 0700 – 1600 hours and 1900 – 2100 hours Monday to Saturday and 1000 – 1600 hours on Sundays. This permission would be implemented as part of the proposals the subject of these current applications.
- 2.3 Three separate planning applications have been submitted to make alterations to the building and site to enable the conversion of the former public house into a retail store.
- 2.4 The applications are as follows;
- 2.5 **13/00085/FUL** – The proposal is for alterations to the front and side of the building to include the installation of a new shopfront, ATM and access ramp.
- 2.6 The shopfront and ramp would be installed to the southern elevation of the building facing onto Hurst Road with the ATM installed on the eastern side of the building.
- 2.7 **13/00086/FUL** – The application is for the installation of plant equipment to the rear flat roof of the building. This equipment would be screened by acoustic fencing. The application has been supported by a background noise report.
- 2.8 The proposals also include raising the existing single storey flat roof element to the west side of the building by 0.5m to provide additional headroom to this part of the building.
- 2.9 The existing service yard to the rear of the public house building would remain as part of the proposals with the installation of a canopy, delivery platform and access ramp.
- 2.10 **13/00087/FUL** – The application is for the re-surfacing of the existing car park to provide nineteen spaces included two staff spaces, the installation of retractable bollards at the site entrance and a car park lighting scheme.

3. Planning History

- 3.1 12/00110/FUL for Single storey rear extension - Granted, dated 20.06.2012.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

5. Environmental Impact Assessment Regulations

5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

6.1 Four letters of representation and a petition containing 294 signatures were received in opposition to the applications.

6.2 Objections were made on the following grounds;

- Increased traffic adversely affecting highway safety
- How would the store be serviced? Parking will be displaced whilst deliveries take place.
- Inadequate parking provision.
- Adequate retail facilities in the area
- Increased noise disturbance from use of the building and plant equipment.
- Increased litter
- Adversely affect security to the neighbouring dwellinghouse.

7. Consultees

7.1 **Environmental Health** – No objection subject to the inclusion of a condition to restricting noise emitted from the proposed plant and machinery and that lighting scheme is implemented in accordance with submitted details.

7.2 **Transportation** – No objections subject to the traffic regulation order (double yellow lines) being extended on the highway outside of the site.

7.3 **Dudley Metropolitan Borough Council** – No objection.

8. Legal Implications

8.1 General legal implications are set out at the beginning of the schedule of planning applications. (LD/21032013/R)

9. Appraisal

9.1 The key issues are: -

- Character and appearance
- Impact on neighbour amenity
- Access and parking

Character and appearance

- 9.2 The building is a relatively modern public house (approximately 1960s) and its design has no significant architectural or historic qualities. The installation of a new shopfront, ATM and slight increase to the height of the single storey element would not detract from the character and appearance of the building.
- 9.3 The proposed plant and machinery has been appropriately located, to the rear of the building, and would adequately screened by acoustic fencing to avoid its installation detracting from the buildings appearance
- 9.4 Other alterations to the service yard and the re-surfacing of the car park would generally enhance the appearance of the site.
- 9.5 The proposals are therefore in accordance with UDP policies D9 and BCCS policies ENV3 and CSP4.

Impact on neighbour amenity

- 9.6 Aside from the parade of shops to the east of the site the surrounding area is predominantly residential. The closest dwellinghouse is 130 Hurst Road. This property shares its side boundary with the west side of the site and in particular the service yard. It is not considered that the proposed works would have a detrimental impact upon the existing relationship between the two properties. The close proximity of the service yard to the boundary with 130 Hurst Road would inevitably cause some disturbance whilst deliveries are being made; however the installation of a delivery platform will reduce the potential for noise disturbance to occur. It is not considered that the level of disturbance during deliveries would be any worse than already created by the existing use of the public house.
- 9.7 The proposed plant and machinery to be installed on the existing flat roof to the rear of the building would be screened by acoustic fencing. A noise survey has satisfactorily demonstrated that this equipment can be installed in this location without causing undue noise disturbance that would adversely affect neighbour amenity to an unacceptable degree.
- 9.8 It is proposed to increase the height of the single storey flat roof to the west side of the building by approximately 0.5m. It is not considered that this would adversely affect neighbour amenity, in terms of outlook or loss of light, to an unacceptable degree.
- 9.9 The external lighting scheme submitted has predicted the ground illumination levels. It does not predict any excessive off-site light spillage. Therefore the lighting scheme would not adversely affect neighbour amenity to an unacceptable degree.
- 9.10 The hours of opening and delivery would be controlled by the conditions referred to in paragraph 2.2 of this report to reduce the potential for disturbance to occur from the activities associated with the use.
- 9.11 The proposal is therefore considered satisfactory in respect of UDP policies EP1, EP4, EP5, D7, D8, D9 and BCCS policies ENV3 and CSP4

Access and parking

- 9.12 The access and parking arrangements would largely remain the same. The proposed parking layout, with nineteen spaces, is considered adequate. The layout would allow service vehicles to manoeuvre within the site, although four spaces (including two staff spaces) would need to be cordoned off to enable the vehicles to turn within the site. It is considered that this arrangement can be satisfactorily managed by the retail occupiers without significantly impacting on highway safety.
- 9.13 The applicants have agreed to extend the traffic regulation orders on the highway adjacent to the site. This will discourage ad-hoc on street parking that could cause congestion at the junction with Hurst Road.
- 9.14 The access and parking arrangements are appropriate and in accordance with UDP policies AM12 and AM15.

10. Conclusion

- 10.1 The proposed works including the installation of a new shop front, provision of an access ramp, reconfiguration of the service yard and tarmac surfacing of the car park would not adversely affect the character and appearance of the building and would largely improve the appearance of the site.
- 10.2 The existing service yard is not ideally located in such close proximity to the rear of 130 Hurst Road. However the proposed installation of a level delivery platform and canopy would improve this existing relationship by reducing the potential for noise disturbance as deliveries and waste collections are made.
- 10.3 It has been satisfactorily demonstrated that the proposed plant and machinery would not cause undue noise disturbance that would adversely affect neighbour amenity.
- 10.4 The access and parking layout is satisfactory. The applicants have agreed to fund the extension of the existing traffic regulation order to discourage parking on the highway. The proposal is therefore satisfactory in respect of pedestrian and highway safety.
- 10.5 The proposals are therefore satisfactory and in accordance with UDP and BCCS policies.

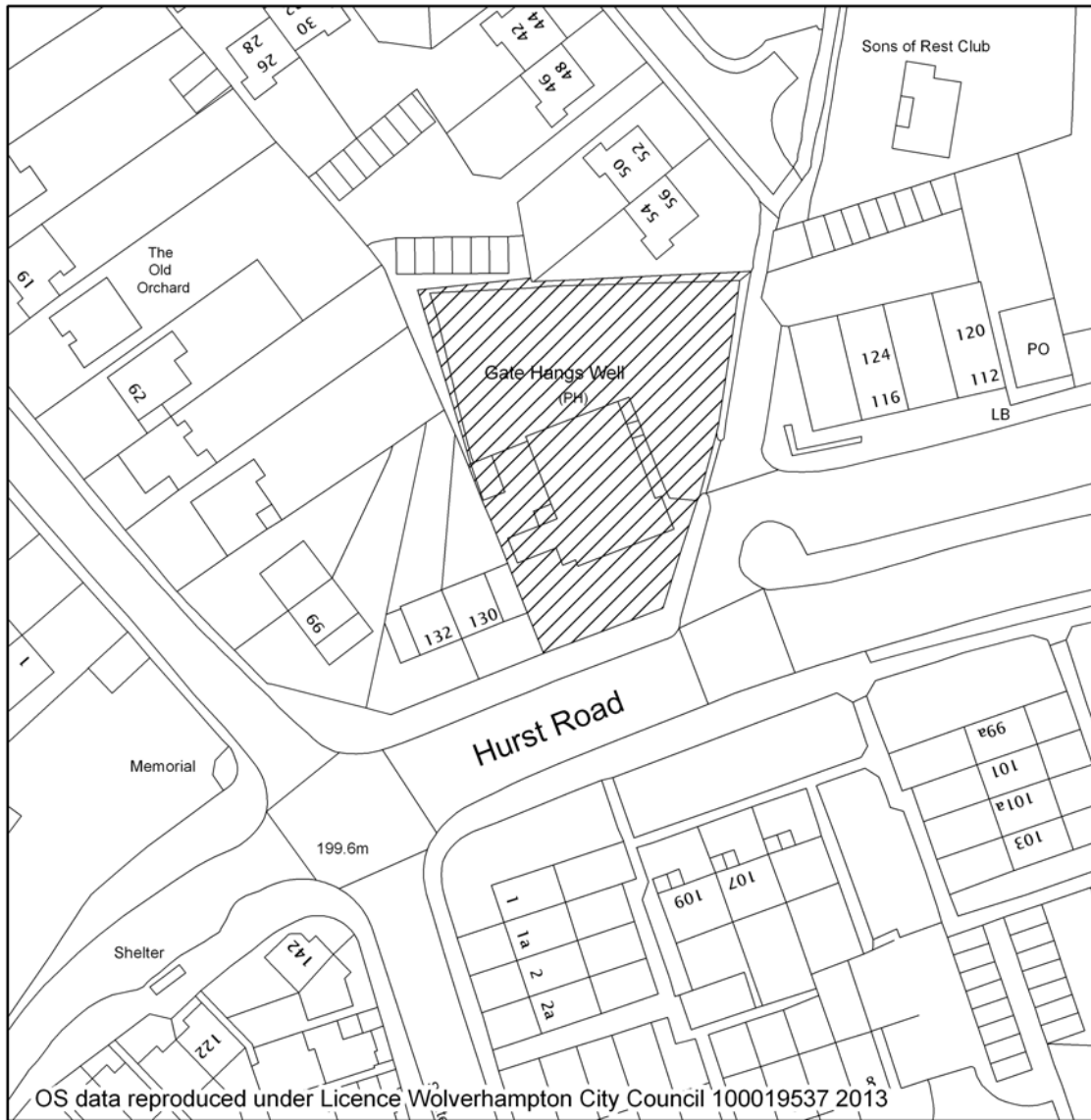
11. Recommendation

- 11.1 That planning application 13/00085/FUL be granted planning permission subject to any appropriate conditions including those below;
- 11.2 That planning application 13/00086/FUL be granted planning permission subject to any appropriate conditions including those below;

11.3 That planning application 13/00087/FUL be granted planning permission subject to any appropriate conditions including those below;

- Landscaping and boundary treatments
- Parking layout implemented before occupation
- Traffic Regulation Order extended prior to occupation
- External lighting in accordance with submission
- Planting and machinery noise levels.
- Car park management strategy for service vehicles
- Service yard security gate details
- Hours of opening
- Hours of delivery
- Windows shall not be obscured or block off.

Case Officer : Mr Mark Elliot
Telephone No : 01902 555648
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00085/FUL, 13/00086/FUL, 13/00087/FUL

Location	Gate Hangs Well Public House, 128 Hurst Road, Lanesfield, Wolverhampton		
Plan Scale (approx)	1:1000	National Grid Reference	SJ 392968 294256
Plan Printed	26.03.2013	Application Site Area	1503m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00065/FUL

WARD: Merry Hill

RECEIVED: 24.01.2013

APP TYPE: Full Application

SITE: 38 Trysull Gardens, Wolverhampton, West Midlands, WV3 7LD

PROPOSAL: Single storey side extension, new porch and front canopy roof

APPLICANT:

Mr Turner
38 Trysull Gardens
Wolverhampton
WV3 7LD

AGENT:

Mr Stuart Walters
Oakham Design Ltd
Clee View Barn
Edge Hill Drive
Sedgley
DY3 3RH

COMMITTEE REPORT:

1. Site Description

- 1.1 The application property is located in a predominately residential area.
- 1.2 There is a mixed tenure of properties in the vicinity which include detached, semi-detached and terraced.

2. Application details

- 2.1 The application is for a single storey side extension, porch, garage, kitchen and utility room with a canopy to the front.
- 2.2 The single storey side extension will incorporate the garage at the rear of property.
- 2.3 The single storey side extension would be located along the boundary with No.37.

3. Relevant Policy Documents

- 3.1 National Planning Policy Framework (NPPF)
- 3.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 3.3 Wolverhampton's Supplementary Documents
SPG4 - Extension to Houses

4. Environmental Impact Assessment Regulations

- 4.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

5. Publicity

- 5.1 One representation has been received from a neighbour who is opposed to the proposal. The neighbour’s son has requested to speak at Planning Committee. The objection can be summarised as follows;

- No. 37 and No. 38 would no longer be detached properties;
- There would be a minimal gap between the two properties;
- The extension would affect future maintenance No. 37;
- The front of the extension would affect the daylight into the lounge.

6. Legal Implications

- 6.1 General legal implications are set out at the beginning of the schedule of planning applications. (LD/13032013/F)

7. Appraisal

- 7.1 The key issues are: -

- Design; and
- Neighbour amenity

Design

- 7.2 The design of the proposed single storey side extension is considered to be a good quality design which is in keeping with the character and appearance of the property. The design of the extension is considered to be acceptable and is in accordance with UDP Policy D9 and BCCS Policy ENV3.

Neighbour amenity

- 7.3 The height of the proposed extension is 2.8m and it would project approximately 0.5m beyond the front elevation of No.37. The proposed extension would be positioned in close proximity to the side elevation of the neighbouring property. It is considered that the position of the proposed extension next to the adjoining boundary with No.37 is unlikely to adversely affect the living conditions of that neighbouring property and therefore the proposal is in accordance with UDP Policies D4, D6 and D8.

- 7.4 There is an existing 2m high fence along the adjoining boundary between the application property and No.37 and a conservatory at the rear. The additional height of the single storey side extension above the boundary treatment is likely to have a minimal affect on the outlook from the extended part of the neighbouring property. As such, the height and massing of the proposed

extension is considered to be acceptable and is in accordance with saved UDP Policies D7 and D8.

- 7.5 The orientation of the application property is east facing. The proposed single storey side extension will not have a serious adverse affect to the daylight/sunlight to the front window of No.37 or its living room due to the orientation of the application property and neighbouring property and therefore the proposal is in accordance with UDP Policy D8.

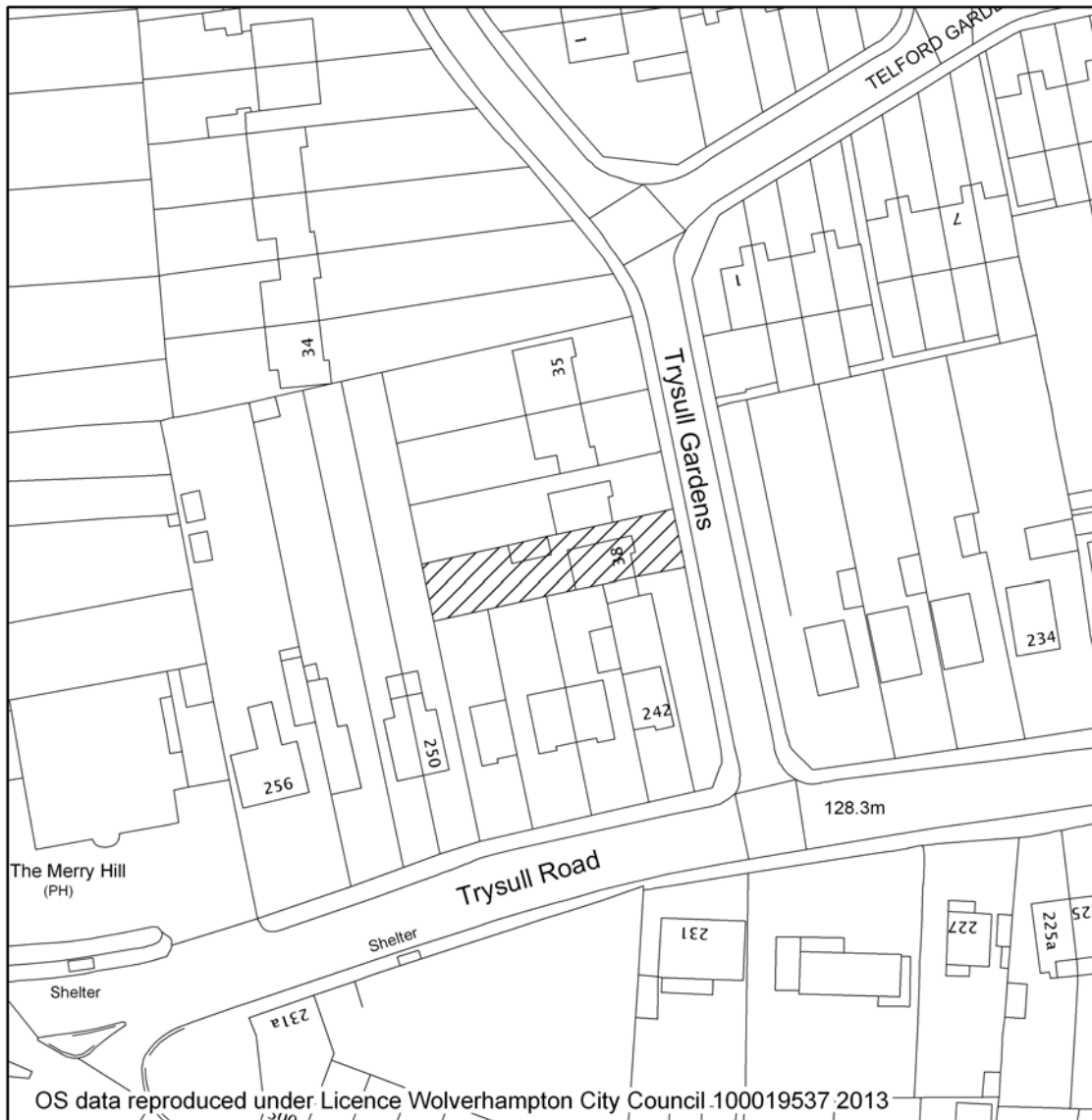
8. Conclusion

- 8.1 The proposal for a single storey side extension is considered to be acceptable due to its height and massing. The proposal will not seriously affect the outlook and daylight/sunlight to the front and rear of No.37 due to the orientation of the properties. The proposal complies with Wolverhampton UDP Policies D4, D6, D7, D8, D9, SPG4 and BCCS Policy ENV3.

9. Recommendation

That planning application 13/00065/FUL be granted subject to standard conditions.

Case Officer : Mr Dharam Vir
Telephone No : 01902 555643
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00065/FUL

Location	38 Trysull Gardens, Wolverhampton, WV3 7LD		
Plan Scale (approx)	1:1000	National Grid Reference	SJ 388559 297101
Plan Printed	26.03.2013	Application Site Area	270m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 11/00627/OUT **WARD:** Wednesfield South
RECEIVED: 24.06.2011
APP TYPE: Outline Application

SITE: Jennie Lee Centre, Lichfield Road, Wednesfield, Wolverhampton
PROPOSAL: Outline application with all matters reserved. The re-development of the Jennie Lee Centre site and adjoining open space for up to 217 residential dwellings.

APPLICANT:
Charles Green
Wolverhampton City Council
Civic Centre, St Peters Square,
Wolverhampton
West Midlands
WV1 1RL

AGENT:
Sheila Dixon
Wolverhampton City Council
Civic Centre
St Peters Square
Wolverhampton
WV1 1RL

COMMITTEE REPORT:

1. Purpose of Report

1.1 To update Councillors and make a recommendation

2. Background

2.1 On 31st January 2012 Planning Committee delegated authority to the Interim Strategic Director for Education and Enterprise to grant planning permission subject to a S106 agreement and conditions. This resolution was subsequently amended under the Urgent Matter procedure to:-

- (i) Cabinet/Full Council Resolution to secure the funding mechanism for provision of replacement artificial grass pitch and playing fields;
- (ii) Cabinet/Cabinet Resources Panel decision that the sale agreement for the application site shall include a requirement for the purchaser to enter into a s106 as outlined below on completion of the land transaction;
 - For the development site as a whole:
 - 25% Affordable Housing (80% affordable rent and 20% shared ownership)
 - Loss of Open Space (not playing fields) contribution £412,216
 - Canalside Improvements contribution £60,000
 - Road Safety measures £20,000
 - Targeted recruitment and training
 - Management company for communal areas including any unadopted roads

- £139,200 commuted sum for maintenance of the on-site open space
 - For all dwellings completed within 3 years of the date of this committee on a pro-rata basis:
 - Pro-rata reduced off-site open space and play contribution of £307,784.
 - For all dwellings completed after 3 years of the date of this committee on a pro-rata basis:
 - Off-site open space and play contribution pro-rata £368,824 is payable
 - Public Art pro-rata £161,000
 - Residential Travel Plan (£750 per dwelling)
- (iii) Any necessary conditions to include:-
- Limit maximum number of dwellings to 200
 - Floor plans of dwellings
 - Limit minimum area of open space to 1.6 hectares
 - Building recording prior to demolition
 - Site waste management plan
 - Renewable energy (10%)
 - Follow-up badger survey (prior to commencement)
 - Bat boxes/bricks
 - Materials
 - Landscaping (including hard and soft features in the SUDs area)
 - Ecology Walkover and Phase 1 Habitat Survey
 - Acoustic Survey
 - Residential travel plan
 - Measures to protect residents during construction including hours of construction
 - Levels (existing and proposed)
 - Site investigation report
 - Tree Report
 - Tree survey and report
 - Drainage (including details of SUDs sufficient to reduce surface water flows back to equivalent greenfield rates)
 - Details of replacement playing fields scheme (including associated changing rooms and parking facilities)
 - Planning permission shall have been granted and a contract let for the construction of the replacement playing fields.
 - A management and funding plan for the replacement playing fields shall be submitted for approval
 - Details of replacement Artificial Grass Pitch and a management plan
 - On site open space scheme
 - Cycle Parking (apartments)
 - Refuse storage (apartments)
 - Boundary Treatment
 - Public art
 - Residential Travel Plan

3. Updating

3.1 The key points to update relate to the following:-

- Financial Viability and Section 106 Agreement
- Replacement playing fields and artificial grass pitch (Sport England and Committee resolution)
- Number of dwellings

Financial Viability and Section 106 Agreement

3.2 Prior to reporting the application to Planning Committee in January 2012, it had been demonstrated that it would not be financially viable for the development to provide all the planning obligations required by planning policies. A reduction in obligations was agreed by Committee (amended under the Urgent Matters procedure).

3.3 The site was then marketed and the Council as landowner has entered into an exclusivity agreement with a developer. A revised financial viability appraisal (FVA) has been submitted, which reflects detailed survey work on the building and a revised illustrative layout of 217 dwellings which reflects the development proposed (informally at this stage) by that developer.

3.4 The District Valuer has confirmed that it would not be financially viable to provide the planning obligations agreed previously and detailed in paragraphs 2.1(ii). The following reduced S106 obligations have been negotiated:

- 25% affordable housing
- Road safety measures - £20,000
- Loss of open space (not playing fields) - £412,246
- Commuted sum for maintenance of on-site open space - £139,200
- Renewable energy - £25,000.

3.5 As a result of increased costs which were unknown at the time of the original financial viability appraisal, and in order to facilitate the early development of the site, it is recommended that canalside improvements, public art, travel plan, off-site open space/play contribution and part of the renewable energy provision are waived for four years with the full planning obligations applying, on a pro-rata basis, after the 4 years.

3.6 With other developments the period within which the reduced S106 agreement applies has been set at 3 years. This has been to encourage early development and because a financial viability appraisal is a 'snapshot' in time which becomes increasingly inaccurate with the passage of time.

3.7 In this case the developer has asked for 4 years, due to the pre-development activities associated with this site. In return the developer has agreed to S106 obligations within the 4 years that are more generous than the minimum based purely on the figures in the FVA. The works that need to be carried out before house building can commence are:

- demolition of existing buildings
- removal of hardstandings
- tree removal (which would have to be timed to avoid the nesting season)
- remediation of contamination
- need for ground levelling and consolidation

3.8 In this case, taking account of the extent of pre-commencement works but in particular the enhanced financial offer, it is recommended that a 4 year period is specified in agreements under Section 111 of the Local Government Act 1972 and Section 106.

Replacement playing fields and artificial grass pitch

3.9 On 21st February 2012 Cabinet (Resources Panel) resolved to approve the creation of new playing fields at Barnhurst Lane, Bilbrook as compensation for the loss of playing fields at Jennie Lee and other school sites within the BSF programme. On 25th September 2012 Cabinet (Resources Panel) resolved to approve the relocation of the Artificial Grass Pitch from the Jennie Lee Centre to Our Lady & St Chad's Sports College. Funding has been secured for both schemes and planning permission granted for Barnhurst Lane and a planning application has been submitted for Our Lady and St Chad's.

3.10 Sport England therefore no longer require planning conditions to secure the replacement playing fields and artificial grass pitch as a result of the progress made on delivering the replacement provision.

Number of Dwellings

3.11 On the basis of an illustrative layout submitted with the application, Planning Committee agreed that the development should be for a maximum of 200 dwellings. An amended indicative layout plan has demonstrated that the site could accommodate up to 217 dwellings.

4. Legal Implications

4.1 General legal implications are set out at the beginning of the schedule of planning applications. LD/21032013/Q

5. Conclusion

5.1 The site could accommodate up to 217 dwellings and planning obligations should be reduced for 4 years to reflect the lack of financial viability, as recommended below.

6. Recommendation

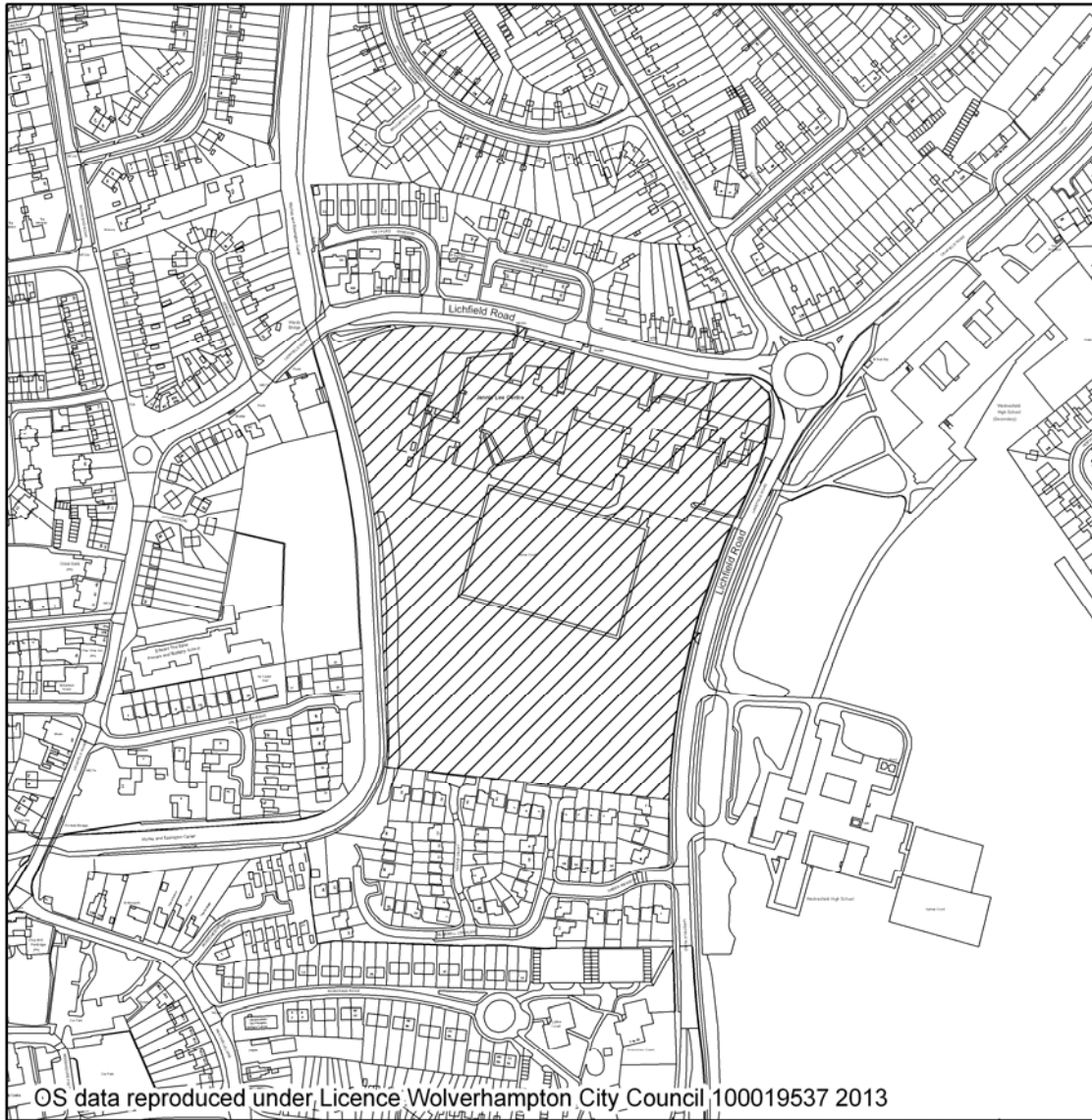
6.1 That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant planning application 11/00627/OUT subject to the completion of a Section 111 Agreement to secure the Section 106 obligations which shall include:-

- For the development site as a whole:
 - 25% Affordable Housing (80% affordable rent and 20% shared ownership/shared equity)
 - Road Safety measures £20,000
 - Loss of Open Space (not playing fields) contribution £412,216
 - Management plan and commuted sum for maintenance of the on-site open space £139,200
 - Targeted recruitment and training
 - Management company for communal areas including any unadopted roads
 - Thermal Solar panels for 7 dwellings to contribute towards the 10% of the estimated residual energy (£25,000)

- For all dwellings completed after 4 years of the date of this committee on a pro-rata basis:
 - Off-site open space and play contribution (£1699.64 per dwelling)
 - Canalside Improvements (£276.49 per dwelling)
 - Public Art (£741.93 per dwelling)
 - Residential Travel Plan (£750 per dwelling)
 - Renewable Energy (£1313 per dwelling)

- (i) Any necessary conditions to include:-
 - Limit maximum number of dwellings to 217
 - Floor plans of dwellings
 - Limit minimum area of open space to 1.6 hectares
 - Building recording prior to demolition
 - Site waste management plan
 - Follow-up badger survey (prior to commencement)
 - Bat boxes/bricks
 - Materials
 - Landscaping (including hard and soft features in the SUDs area)
 - Ecology Walkover and Phase 1 Habitat Survey
 - Acoustic Survey
 - Residential travel plan
 - Measures to protect residents during construction including hours of construction
 - Levels (existing and proposed)
 - Site investigation report
 - Tree survey and report
 - Tree protection measures
 - Drainage (including details of SUDs sufficient to reduce surface water flows back to equivalent greenfield rates)
 - Cycle Parking (apartments)
 - Refuse storage (apartments)
 - Boundary Treatment
 - Traffic calming

Case Officer : Ms Jenny Davies
Telephone No : 01902 555608
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 11/00627/OUT

Location	Jennie Lee Centre, Lichfield Road, Wednesfield, Wolverhampton		
Plan Scale (approx)	1:5000	National Grid Reference	SJ 394941 300650
Plan Printed	26.03.2013	Application Site Area	67962m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 12/01267/FUL **WARD:** Fallings Park

RECEIVED: 22.10.2012

APP TYPE: Full Application

SITE: 48 Primrose Lane, Wolverhampton, WV10 8RN

PROPOSAL: Proposed six number two bedroom apartments of land to the rear of 48 Primrose Lane, Bushbury, Wolverhampton

APPLICANT:

Mr Robert McGing
Meadow View
Straight Mile
Four Ashes
Wolverhampton
WV10 7DL

AGENT:

Mr Jacob Sedgemore
Stoneleigh Architectural Services Ltd
Compton Wharf Brlidgnorth Road
Compton
Wolverhampton
WV6 8AA

COMMITTEE REPORT:

1. Site Description

- 1.1 This planning application was deferred at the previous planning committee in order to carry out a site visit.
- 1.2 The application site comprises of a piece of land which is located to the rear of 48-50 Primrose Lane, which once formed part of the garden land to 48 Primrose Lane. The surrounding area is predominantly residential with bungalows, houses and two storey apartment blocks. The site would be accessed from Redcotts Close, where the site is currently screened by shrubbery and boundary fencing. The site is within close proximity to a local shopping centre, which fronts Cannock Road.

2. Application details

- 2.1 The proposal consists of a two story block of apartments, incorporating six, two bedroom apartments, and associated car parking, garden, and utility facilities (bin and cycle store).

3. Planning History

- 3.1 08/01140/OUT for Outline Application. Residential development of a maximum of 9 apartments with new access and associated works., Refused, dated 06.11.2008. This application was subsequently allowed at appeal. This proposal was for a three storey high block of 9 flats and also projected into the site, this would have resulted in an unacceptable degree of overlooking of adjacent rear gardens. It was therefore refused as overdevelopment, out of character and likely to lead to a loss of privacy. The proposed access was to be in a similar position to that proposed across the layby .

3.2 10/01190/FUL for Erection of one, three bedroom dwelling, Granted, dated 29.12.2010. This application also proposes the same access and build outs to the existing layby, as displayed on the current application and that allowed at appeal.

3.3 11/00925/FUL for New Four bedroom dwelling, Granted, dated 04.11.2011. This application also proposes the same access and build outs to the existing layby, as displayed on the current application and that allowed at appeal.

4. Relevant Policy Documents

4.1 National Planning Policy Framework (NPPF)

4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

4.3 Other relevant policy documents:
Supplementary Planning Guidance Note 3 – Residential Development

5. Environmental Impact Assessment Regulations

5.1 This development proposal is not included in the definition of Projects that require a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

6.1 One objection received from a Ward Councillor

- Not compatible with the surrounding area
- Insufficient level of Parking
- Development would result in a loss of parking to Redcotts Close

7. Internal Consultees

7.1 **Environmental Health** – Operational hours during construction required.

7.2 **Transportation Development** – No objections, subject to conditions for the submission of detail for access build outs, which should be submitted and agreed in writing prior to development.

7.3 **Building Control** – No objections

7.4 **Trees** – No objections

8. Legal Implications

8.1 General legal implications are set out at the beginning of the schedule of planning applications. (Ref.:LD/20022013/Q)

9. Appraisal

9.1 The key issues are: -

- **Principle of Development**
- **Parking/Access**
- **Design/Layout**
- **Neighbouring Amenities**

Principle of Development

9.2 Although the site once formed part of the garden land to properties within Primrose Lane, it has now been detached. The site, as viewed from Redcotts Close, is fenced off at present, but if this is opened up, and access afforded to the site, the proposed development would relate well to the street scene within Redcotts Close. The proposed development would be similar to a block of apartments south of the site, and would maintain the building line which is formed along this frontage. There are a mixture of properties within Redcotts Close, and in the nearby area, including bungalows, houses and two storey blocks of apartments. The proposed development would have a similar massing and height and although the design is simple it would relate positively to street scene it forms a part of. Therefore, the principle of development is considered to be consistent with Policies with the Black Country Core Strategy (BCCS) and the Unitary Development Plan (UDP, and is therefore acceptable.

Parking and Access

9.3 The site has access to good local transport services, and is within close proximity to local shopping facilities. Access to the site would be from Redcotts Close across an existing layby, which is currently used for parking within Redcotts Close. The access would result in the loss of two parking spaces in the layby. It is appreciated that Redcotts Close, and the layby can be at times congested from parking overflowing from the neighbouring health centre, however, the proposal has provided a sufficient amount of off street parking bays, and with good access to services, the proposal is considered unlikely to have any significant detrimental impact to highway safety. Under the terms of the new NPPF for a scheme to be refused on highway safety grounds there needs to be a severe cumulative impact on safety. Given that the development will add so little to demand for on street parking, it is not considered that such an impact could be demonstrated. It should also be noted that a previous scheme for nine apartments, was also allowed at appeal, with no issues raised by the Planning Inspector in respect of highway safety. That scheme also showed access across the layby with the loss of two roadside parking spaces. There is no evidence that at in making that decision the Planning Inspector assumed that the adjacent Health Centre was scheduled to close and so reduce the need for on-street. If excess demand for parking is being caused by patients visiting the Health Centre, then the search which is going on for additional off-street parking areas by the Heath Centre is the long term correct solution to this problem. It would not be a legitimate reason to refuse this

application. ., The proposal is consistent with BCCS and UDP traffic and parking related Policies.

Design/Layout

- 9.4 The design is quite simple, with a rectangular shaped building and pitched roof design. But its appearance is consistent with that of surrounding development, with a similar height/massing. There is sufficient spatial separation between proposed and existing dwellings and solar orientation is also acceptable. Therefore, with appropriate materials it is considered that the development proposed would be in keeping with the character and appearance of the surrounding area. The layout is also considered to be acceptable, with a sufficient level of parking, shared garden space and facilities (bin and cycle storage). Therefore, the proposal is consistent with BCCS and UDP Policies.

Neighbouring Amenities

- 9.5 The location of the proposed development is sufficiently offset from neighbouring properties, with a suitable distance between windows and elevations to protect amenity. The layout has also carefully considered privacy, especially the rear elevation. Therefore, although the development would be clearly evident, there is considered to be no significant detriment to outlook, light, sunlight or privacy, and is therefore, consistent with BCCS and UDP Policies.

10. Conclusion

- 10.1 The proposed development is considered to be acceptable, being consistent with the established development surrounding, of a similar character/appearance, and with no significant detriment to neighbouring amenities, or highway safety. Therefore the proposal complies with relevant Black Country Core Strategy and Unitary Development Plan Policies, subject to conditions, and consequently, there is not considered to be any conflict between the proposal and the Black Country Core Strategy, the Development Plan or the National Planning Policy Framework, subject to conditions. ENV2, HOU1, HOU2, TRAN4, D4, D5, D6, D7, D8, D9, D10, D11, D12, D13, EP5, EP9, N7, H6, AM12, and AM15.

11. Recommendation

- 11.1 That planning application 12/01267/FUL is granted planning permission, subject to any appropriate planning conditions including the following:

- Matching Materials
- Landscaping
- Parking Areas
- Restriction of working hours during Construction Phase
- Bin Storage
- Cycle Storage
- Visibility Splays including build outs
- Disposal of Surface Water

Case Officer : Ms Tracey Homfray
Telephone No : 01902 555641
Head of Planning – Stephen Alexander



OS data reproduced under Licence Wolverhampton City Council 100019537 2013

DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 12/01267/FUL

Location	48 Primrose Lane, Wolverhampton, WV10 8RN		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 393273 301659
Plan Printed	26.03.2013	Application Site Area	965m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00194/TEL

WARD:

Bushbury South And
Low Hill

RECEIVED: 27.02.2013

APP TYPE: Telecommunications

SITE: Land At Junction With Bone Mill Lane And Crown Street,
Wolverhampton

PROPOSAL: Removal of existing telecommunications monopole and installation of a new 15 metre high dual user telecommunications monopole with two new cabinets.

APPLICANT:

Vodafone Ltd
CO Agent

AGENT:

Mr Sebastian Bowe
Mono Consultants Ltd
Steam Packet House
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The site is located on the footpath on the north side of Bone Mill Lane at the junction with Crown Street and Cross Street North. It is to the east side of a railway bridge.
- 1.2 The surrounding area is predominantly industrial and commercial in character. The closest residential dwellings are in excess of 150 metres away.

2. Application details

- 2.1 The application seeks "prior approval" to replace an existing 14.8m high telecommunications pole with a 15m high dual user monopole. The proposed pole is slightly bulkier than the existing one to accommodate the antennas, however the new pole will be shared with another operator.
- 2.2 The proposal would also provide an additional two equipment cabinets, taking the total up to four.
- 2.3 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 11/00914/FUL. Installation of a monopole, painted grey with two associated cabinets - Granted, dated 09.11.2011.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no representation had been received.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. LD/13032013/Q

8. Appraisal

8.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Perceived Health Risks

Siting, appearance and neighbour amenities

8.2 The proposal would be set within an industrial, 'less sensitive', location and would replace an existing monopole of a similar height. Given the this and taking account of the limited increase in height and width of the replacement pole compared to the existing one, the proposal is not considered to have an adverse impact on the skyline or the locality and so is considered to be in accordance with the requirements of UDP policy D6, D7, D9, EP20, the Interim Telecommunications Policy and BCCS policies CSP4 and ENV3.

Perceived Health Risks

8.3 UDP policy EP20 states that 'it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the ICNIRP (International Commission for Non-Ionizing Radiation Protection) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning or prior approval, to consider further the health aspects and concerns about them'. The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is therefore considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal.

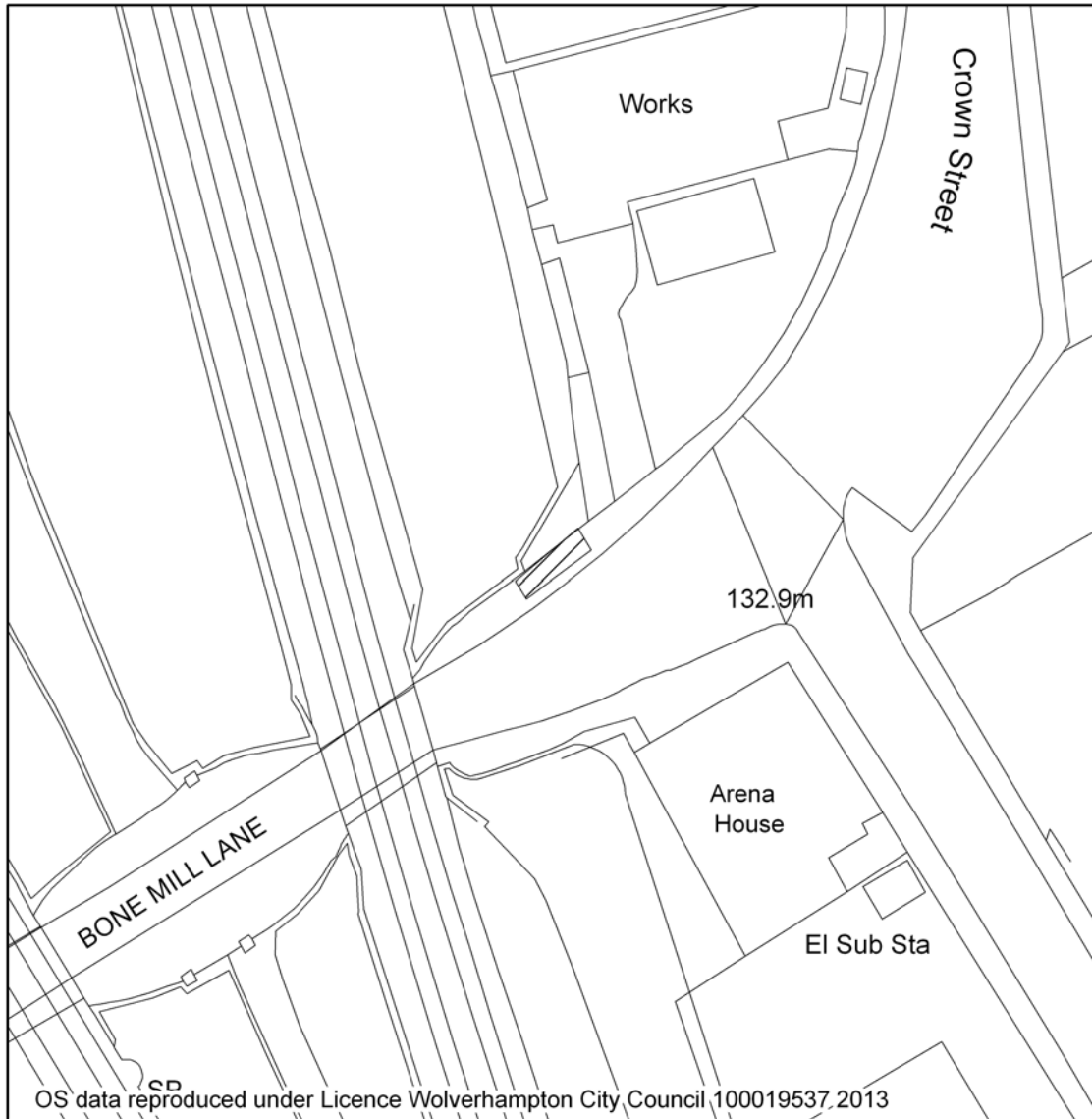
9. Conclusion

9.1 The proposal would replace an existing telecommunications monopole with one of only a moderate increase in height and width, in a largely industrial location and so would not have a significant impact on visual amenity or highway safety. The proposal is therefore considered acceptable and in accordance with UDP and BCCS policies.

10. Recommendation

10.1 That prior approval of application 13/00194/TEL is given, subject to standard conditions.

Case Officer : Mr Mark Elliot
Telephone No : 01902 555648
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00194/TEL

Location	Land At Junction With Bone Mill Lane And Crown Street, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 391487 299697
Plan Printed	26.03.2013	Application Site Area	12m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00197/TEL

WARD:

Bilston East

RECEIVED: 28.02.2013

APP TYPE: Telecommunications

SITE: Grass Verge Adjacent Bath Street, Black Country Route,
Wolverhampton

PROPOSAL: Installation of a replacement radio base station (consisting of a 15m streetworks monopole with shrouded antennas) and two equipment cabinets (three in total).

APPLICANT:

Vodafone Ltd
C.O. Agent

AGENT:

Mr Chris Taylor
Mono Consultants Ltd
Steam Packet House
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

- 1.1 The application site is a grass verge located adjacent to the Black Country Route and Bath Street. The site currently incorporates a telecommunications mono pole and associated infrastructure.
- 1.2 The site is located on the edge of Bilston Town Centre. The immediate locality is predominately commercial/industrial in nature.

2. Application details

- 2.1 The application seeks the council's "prior approval" to replace an existing 15m high telecommunications mono pole with a 15m high dual user mono pole. The proposed mast is wider than the existing one (both the pole and antenna portions are wider), however, the new mast will be shared with another operator.
- 2.2 The proposals would also provide an additional two equipment cabinets, taking the total number up to three.
- 2.3 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 06/01540/TEL – Telecommunication development comprising of the Installation of a radio base station consisting of a 15m streetworks monopole with shrouded antennas, ground base equipment cabinet and development ancillary thereto. Appeal Allowed 5 July 2007

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no letters of objection had been received.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority do consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. (LD/12032013/L).

8. Appraisal

8.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Perceived health issues

Siting, appearance and neighbour amenities

8.2 The proposed mast would replace an existing mono pole of similar height, character and appearance. The proposals would be of a bulkier appearance due to a slightly broader pole and antenna width, however, the equipment has been designed to minimise its impact on the skyline.

8.3 The Interim Telecommunications Policy advises on the siting of this type of equipment at locations which are judged to be in either 'more' or 'less sensitive locations'. In accordance with this advice, this site is considered to be within a 'less sensitive location' due to it being on an existing telecommunications site.

8.4 The location has been selected to provide the required coverage whilst having a minimal impact on residential amenities. As a result it is considered that when viewed from any significant locations the telecommunications development would be appropriately sited and designed to avoid harming the character and appearance of the area.

8.5 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity.

8.6 Taking all matters into consideration, including the fact that the operators O2 and Vodafone are site sharing in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health issues

8.7 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them".

8.8 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

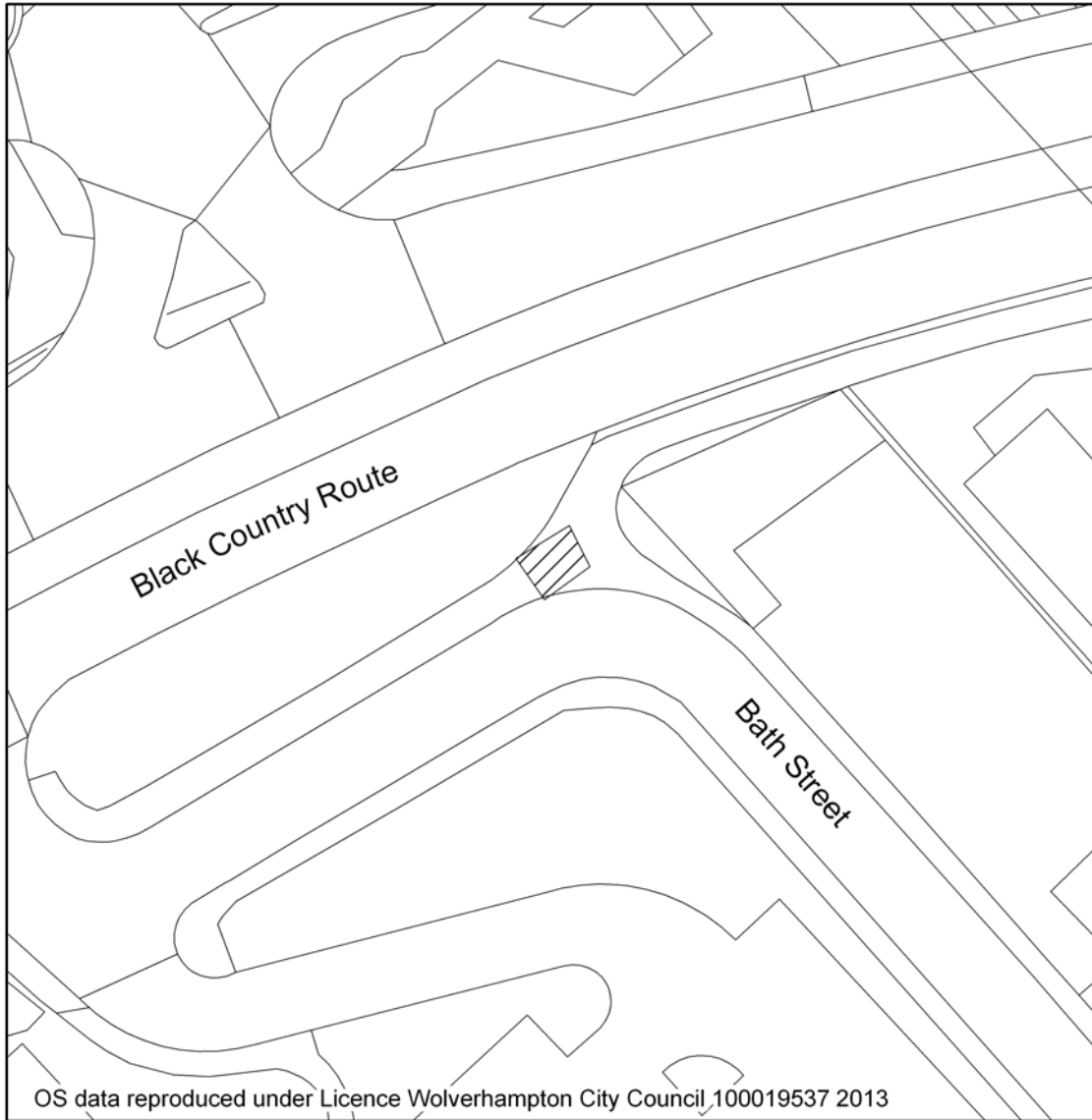
9. Conclusion

- 9.1 The proposed telecommunications equipment is considered to be on a site located primarily within a 'less sensitive location' as identified within the Interim Telecommunications Policy since it already has similar equipment on it. On balance taking all matters into consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site within an immediately commercial area, the proposal is considered to be acceptable
- 9.2 The proposals accord with advice as set out in UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

10. Recommendation

- 10.1 It is recommended that prior approval of application reference 13/00197/TEL is given, subject to standard conditions.

Case Officer : Mr Andrew Johnson
Telephone No : 01902 551123
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00197/TEL

Location	Grass Verge Adjacent Bath Street, Black Country Route, Wolverhampton, West Midlands		
Plan Scale (approx)	1:625	National Grid Reference	SJ 395032 296291
Plan Printed	26.03.2013	Application Site Area	18m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00198/TEL **WARD:** Bushbury North

RECEIVED: 01.03.2013

APP TYPE: Telecommunications

SITE: Land To The Front Of Travel Inn, Broadlands, Wolverhampton

PROPOSAL: The installation of a 15 metre dual user monopole housing three antennas mounted together at the top of the structure, and two number additional radio equipment cabinets.

APPLICANT:
Vodafone Limited
C/O Agent

AGENT:
Scott Bracken
Mono Consultants Ltd
Steam Packet House
1st Floor
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site forms part of a grassed verge alongside the Stafford Road, close to the city boundary. Adjacent the grass verge is a footpath and a grassed bank with dense shrubbery and trees screening part of the Travel Inn Hotel and The Moseley Park Public House, Broadlands. Along Stafford Road in close proximity to the site are existing street lighting columns, road signs and traffic lights.
- 1.2 The surrounding area is mixed used in character with commercial uses to the east, industrial units to the west and south west and residential properties to the south east with the nearest property some 50 metres away.

2. Application details

- 2.1 This application seeks prior approval for the installation of a 15 metre dual user monopole, housing three antennas mounted together at the top of the monopole. The main stem of the column is cylindrical and will measure 324mm in diameter which towards the top it will increase to a 540mm diameter antenna shroud; there would be two new radio equipment cabinets.
- 2.2 The existing 11.8 metre monopole would be removed and the existing radio equipment cabinet would be retained.
- 2.3 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to

install the proposed telecommunications equipment without any formal approval.

- 2.4 Vodafone Limited and Telefonica UK Limited, commonly known as 02 have entered into a new agreement in which the two companies plan to jointly operate and manage a single network grid across the UK. This next phase will involve upgrading existing base stations, which will enable both organisations to pool and consolidate their respective networks while running two, independent, nationwide networks.
- 2.5 The additional height requirement ensures that the base station meets the existing 2G, 3G and future 4G demands of mobile users, and is essential in providing network coverage for Telefoincia and Vodafone.

3. Planning History

- 3.1 11/00195/TEL for Telecommunication - Vodafone/02 - installation of a 11.8m slim lined streetpole and associated equipment and housing.,
Granted, dated 31.03.2011.

4. Constraints

- 4.1 Mining Advice area

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:
Interim Telecommunications Policy 2002

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 No representations received at time of writing.

8. External Consultees

8.1 South Staff's District Council – Awaiting Comments

9. Legal Implications

9.1 General legal implications are set out at the beginning of the schedule of planning applications. [LD/12032013/T]

10. Appraisal

10.1 The key issues are: -

- Siting, Appearance and Neighbour Amenities
- Perceived Health Issues

Siting, Appearance and Neighbouring Amenities

10.2 The proposed development would replace an existing monopole which was previously granted planning permission in March 2011. The site is already in use as a telecommunications base and so it is classed as a “less sensitive” location, as defined in the Councils Interim telecommunications Policy. The previous proposal was considered acceptable, with no detriment to the character and appearance of the surrounding area, which is a mixed use area, and sited adjacent to a backdrop of dense shrubbery/trees, more than fifty metres away from residential dwellings.

10.3 This proposal would result in a higher monopole, increasing from 11.8m to 15m, with the inclusion of two additional cabinets; therefore, the proposed development would be more apparent within the streetscene.

10.4 The monopole equipment would still be of a slimline design, and the two additional cabinets (when placed side by side) would also be smaller than the existing cabinet. Therefore, the design of the proposed development would be in keeping with other street furniture such as neighbouring lampposts, and utility boxes which are often seen fronting highways.

10.5 The more significant change would be the additional height of the monopole being an additional 3.2m in height. This would result in the monopole being more evident within the street scene, especially from a distance, when approaching the site, travelling north out of the City. However, the location has a commercial feel, and is well screened from residential properties south/east of the site, due to landscape and shrubbery, along the frontage of the adjacent Travel Inn Hotel. Therefore, on balance it is considered that the additional height is acceptable, especially as it would facilitate sharing operators Vodafone and 02 (in line with government advice), and would facilitate the type of equipment required to provide an essential service, for both current services and those which would be required in the future (2G, 3G and 4G).

10.6 The replacement monopole and the inclusion of two smaller cabinets, are not considered to have a sufficiently adverse impact on the skyline or the street scene, to justify a refusal, as when viewed from various locations, it would still

be seen in the context of many other vertical elements and as a result would not materially harm the character and appearance of the area. The proposal is therefore, consistent with the requirements of UDP Policy D6, D7, D9, EP20, the interim Telecommunications Policy and BCCS policies CSP4 and ENV3.

Perceived Health Issues

- 10.7 Unitary Development Plan Policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Governments' view, if a proposed mobile phone base station meets the ICNIRP (International Commission for Non-ionizing Radiation Protection) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approvals, to consider further the health aspects and concerns about them." This application is supported by a certificate which shows compliance with ICNIRP and consequently in accordance with the requirements of UDP Policy EP20. Therefore it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal.

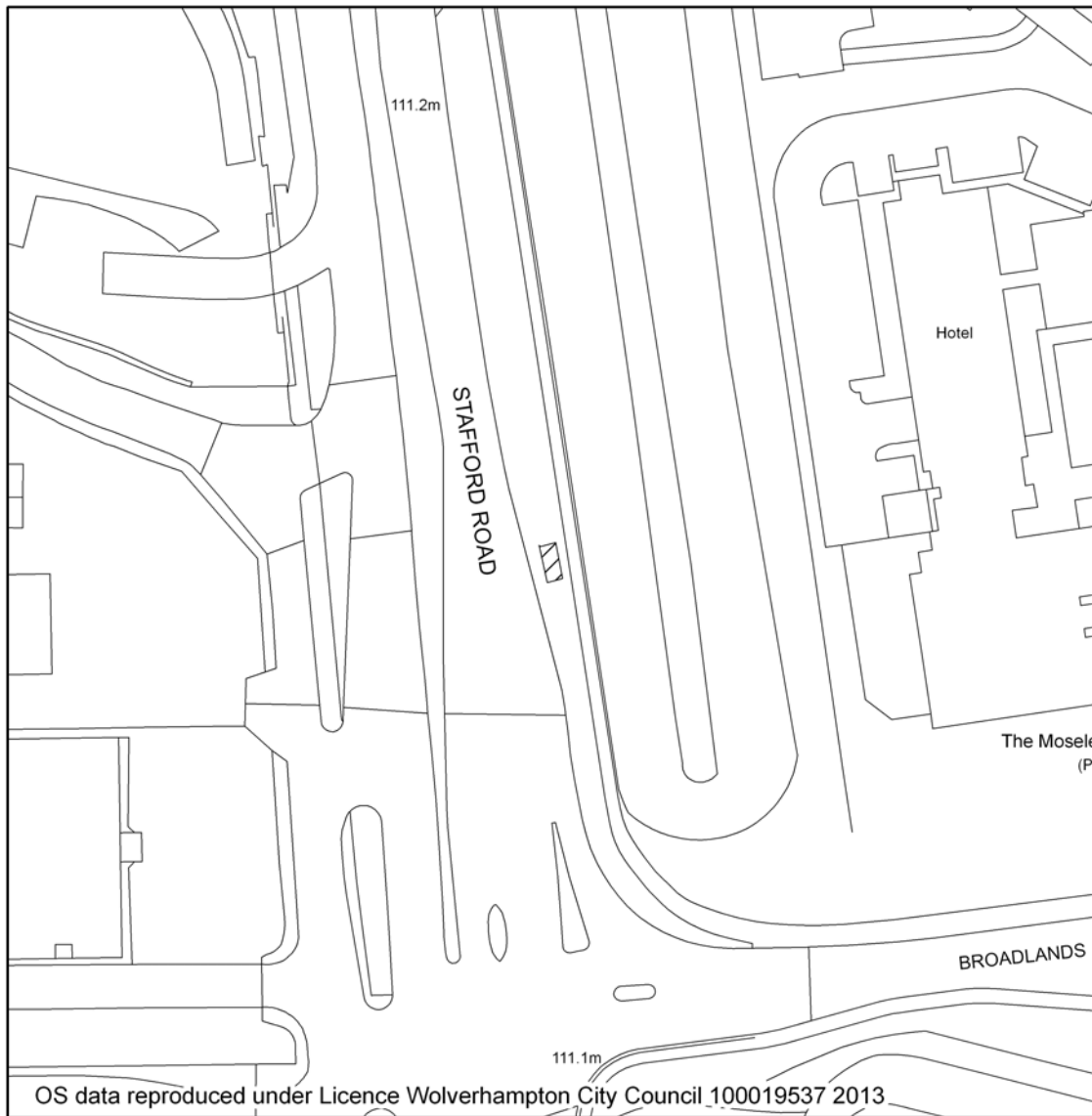
11. Conclusion

- 11.1 Although the site is on an arterial route, due to the fact that it already has a base on it and the character of this particular location, which is predominantly commercial/industrial, with residential properties some considerable distance away, and well screened, on balance and taking all matters into consideration including the fact that the operators are site sharing, the proposal is considered to be acceptable and in accordance with advise as set out in UDP Policies D6, D7, D9, EP20, the Interim Telecommunications Policy and BCCS policies CSPE and ENV3, therefore, the proposal is considered to be acceptable.

12. Recommendation

- 12.1 It is recommended that prior approval of application 13/00198/TEL is given subject to standard conditions.

Case Officer : Ms Tracey Homfray
Telephone No : 01902 555641
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00198/TEL

Location	Land To The Front Of Travel Inn, Broadlands, Wolverhampton		
Plan Scale (approx)	1:1000	National Grid Reference	SJ 391695 304280
Plan Printed	26.03.2013	Application Site Area	11m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00193/TEL

WARD: Spring Vale

RECEIVED: 01.03.2013

APP TYPE: Telecommunications

SITE: Land Fronting Gate Hangs Well Public House, Hurst Road,
Lanesfield, Wolverhampton

PROPOSAL: Removal of existing telecommunications mast and erection of a
replacement 15 metre high telecommunications mast, including two
new cabinets

APPLICANT:
Vodafone
Vodafone C/o Agent

AGENT:
Ms Katy Jessop
Mono Consultants Limited
58 Cygnet Court
Timothys Bridge Road
Stratford Upon Avon
CV37 9NW

COMMITTEE REPORT:

1. Site Description

1.1 The site is on an open paved area which separates the carriageway of Hurst Road from a service road and parking area adjacent a row of shops with flats over and a public house (currently closed). On the opposite side of Hurst Road, housing is separated from it by the road and an area of grassed open space and most of the houses are 'side-on' to the site. The site presently contains a telecommunication pole and associated cabinet.

2. Application details

2.1 The application seeks "prior approval" to replace an existing 15m high telecommunications pole with a similar 15m high dual user mono pole. The proposed pole is slightly bulkier than the existing one, towards its top where it widens in order to accommodate the antennas 'however, the new pole will be shared with another operator.

2.2 The proposals would also provide an additional two equipment cabinets, taking the total number up to three.

2.3 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 11/00351/TEL. Erection of a 15m high telecommunications pole and associated cabinet. Granted 25.11.2011.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no representations had been received.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent (LD/12032013/W).

8. External consultees

8.1 Dudley MBC - No comments received.

9. Appraisal

9.1 The key issues are: -

- The visual appearance of the proposal in the locality
- Perceived health risks

9.2 The visual appearance of the proposal in the locality UDP policy EP20 'Telecommunications' and this Council's 'Interim Telecommunications Policy' distinguishes between 'less sensitive sites' and "sensitive sites" when locating telecommunications equipment. The latter include designated sites for conservation and nature, green belt and public open space, together with health and education facilities. UDP policy EP20 requires applicants for telecommunication equipment to demonstrate that there is a need for the additional equipment, that there are no more suitable sites in terms of any visual impact and that the proposal has been designed to minimise its visual impact. They also urge mast sharing and encourage the positioning of equipment on existing buildings as a way to reduce impact.

9.3 This site already has a 15 metre high pole and associated cabinet on it. As with the existing pole the new pole will be visible from the first floor flats above the shops and Public House but not readily visible from the houses on the opposite side of Hurst Road due to the angles of view and the separation distances. The new pole, although slightly more bulkier towards its top than the existing, will no higher than the existing pole, and so the visual appearance of the mast is on balance acceptable.

9.4 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity.

9.5 The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Perceived health risks

9.6 UDP Policy EP20 together with its Interim Telecommunications Policy, require all applications for telecommunication antennae to be accompanied by a certificate confirming that it has been designed to comply with emission standards set by the independent International Commission for Non-Ionizing Radiation Protection (ICNIRP). This application is accompanied by such a certificate. Health considerations and public concerns can be material considerations in principle but the government's view is that the planning system is not the place to determine safeguards and if the ICNIRP requirements are met then it should not be necessary to consider further health aspects or concerns about them.

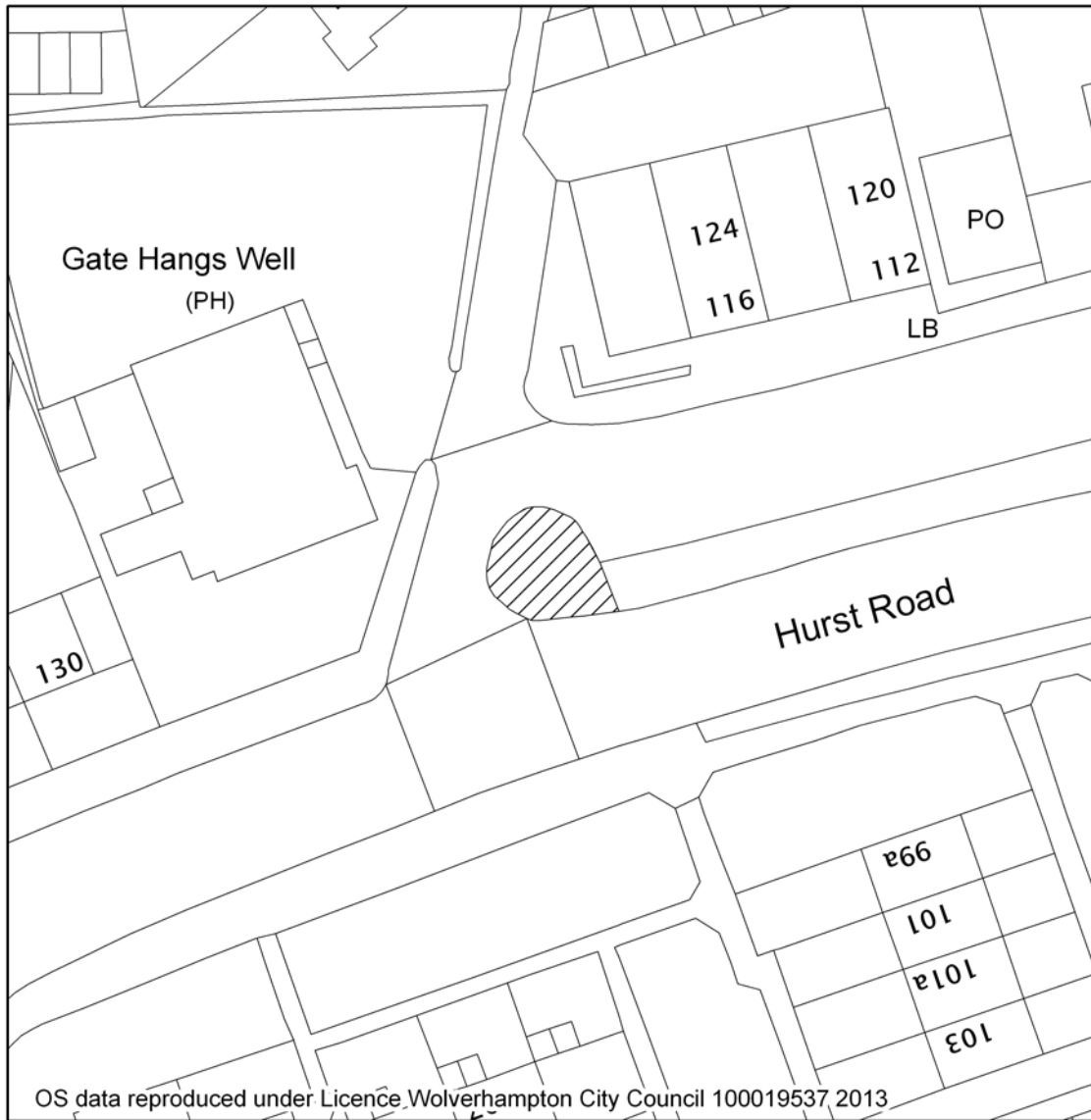
10. Conclusion

- 10.1 The proposed telecommunications equipment is considered to be on a site located primarily within a 'less sensitive location' as identified within the Interim Telecommunications Policy. On balance, taking all matters into consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site within an immediately commercial area, the proposal is considered to be acceptable

11. Recommendation

- 11.1 It is recommended that prior approval of application reference 13/00193/TEL is given, subject to standard conditions.

Case Officer : Mr Phillip Walker
Telephone No : 01902 555632
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00193/TEL

Location	Land Fronting Gate Hangs Well Public House, Hurst Road, Lanesfield, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 392994 294241
Plan Printed	26.03.2013	Application Site Area	70m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00195/TEL

WARD: Blakenhall

RECEIVED: 01.03.2013

APP TYPE: Telecommunications

SITE: Dudley Road, Wolverhampton

PROPOSAL: Removal of existing telecommunications mast and erection of a replacement 15 metre high telecommunications mast, including two cabinets

APPLICANT:
Vodafone Limited
Vodafone C/o Agent

AGENT:
Mr Sebastian Bowe
Mono Consultants Limited
Steam Packet House
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is the footpath adjacent to the junction of Dudley Road and Grove Street. It is backed by a large warehouse building. The site currently incorporates a 15m high telecommunications monopole and associated infrastructure.
- 1.2 The site is located on the edge of the City Centre. The immediate locality is predominately commercial/industrial in nature.

2. Application details

- 2.1 The application seeks "prior approval" to replace an existing 15m high telecommunications pole with a similar 15m high pole. The proposed pole is slightly bulkier than the existing one, towards its top where it widens in order to accommodate the antennas. The new pole will be shared with another operator.
- 2.2 The proposals would also provide an additional two equipment cabinets, taking the total number up to three.
- 2.3 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 06/0577/GM/C - Erection of a 15m high telecommunications mono pole and associated cabinet. Granted 13.06.2006.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no representations had been received.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.

The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent (LD/12032013/T).

8. Appraisal

8.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Perceived health issues

Siting, appearance and neighbour amenities

8.2 The proposed monopole would replace an existing monopole of similar character and appearance. The new pole would be slightly more bulkier towards its top than the existing.

8.3 The Interim Telecommunications Policy advises on the siting of this type of equipment which are considered to be in either 'more' or 'less sensitive locations'. In accordance with the advice, this site can be considered to be within a 'less sensitive location' due to its location in a commercial area and on an existing telecommunications site.

8.4 The location has been selected to provide the required coverage whilst having a minimal impact on residential amenities. As a result it is considered that when viewed from any significant locations the telecommunications development would be appropriately sited and designed to avoid harming the character and appearance of the area.

8.5 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity.

8.6 The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health issues

8.7 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them".

8.8 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

9. Conclusion

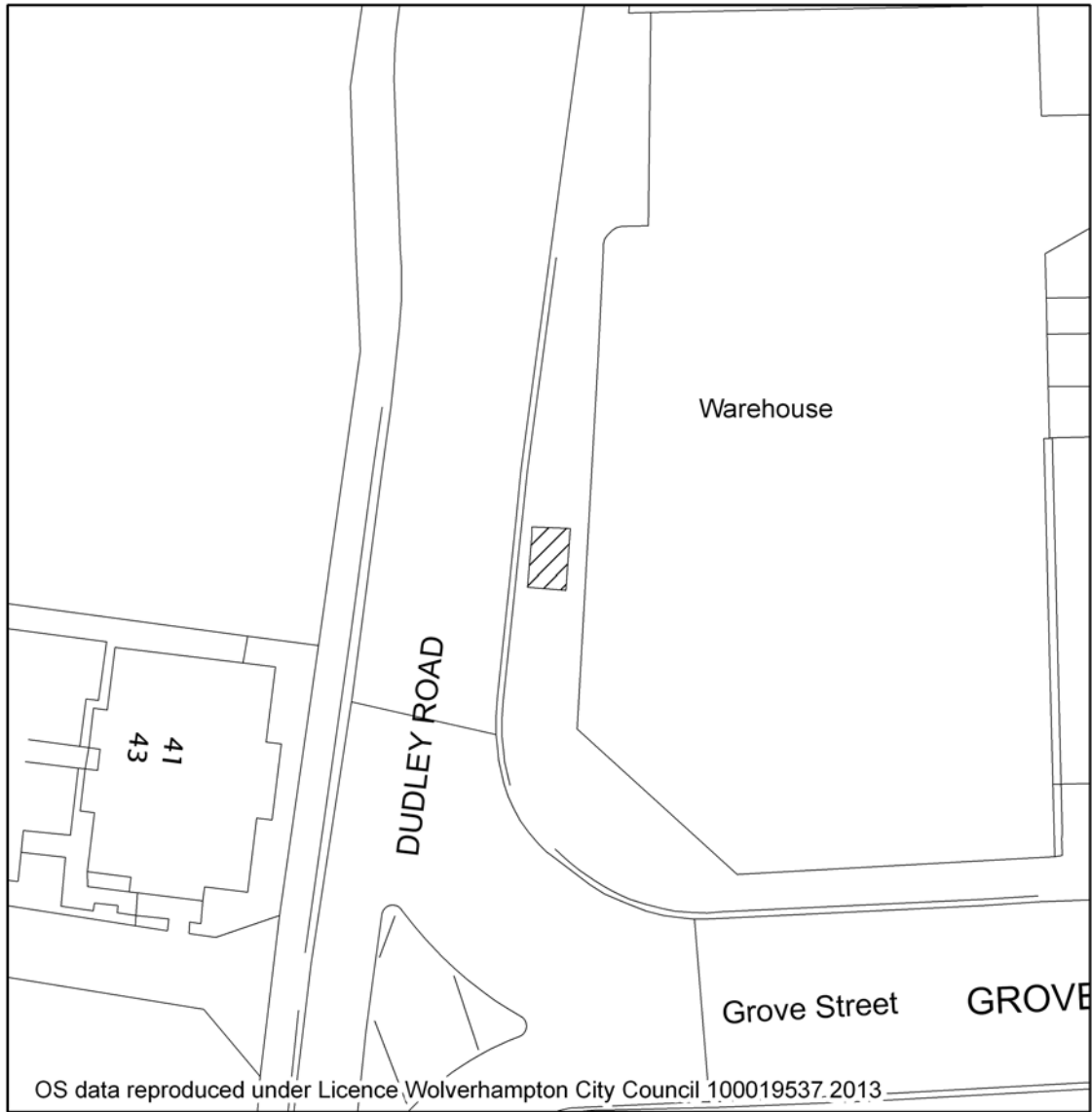
9.1 The proposed telecommunications equipment is considered to be on a site located primarily within a 'less sensitive location' as identified within the Interim Telecommunications Policy. On balance taking all matters into consideration,

including the fact that the operators are site sharing and the equipment is located on an established telecommunications site within an immediately commercial area, the proposal is considered to be acceptable.

10. Recommendation

10.1 It is recommended that prior approval of application reference 13/00195/TEL is given, subject to standard conditions.

Case Officer : Mr Phillip Walker
Telephone No : 01902 555632
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00195/TEL

Location	Dudley Road, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 391554 297767
Plan Printed	26.03.2013	Application Site Area	15m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00192/TEL **WARD:** Oxley

RECEIVED: 28.02.2013

APP TYPE: Telecommunications

SITE: Grass Verge At The Droveaway, The Droveaway, Wolverhampton

PROPOSAL: Removal of existing telecommunications mast and erection of a replacement 15 metre high telecommunications mast, including two cabinets

APPLICANT:
Vodafone C/o Agent

AGENT:
Mr Chris Taylor
Mono Consultants Limited
Steam Packet House
76 Cross Street
Manchester
M2 34JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is a grass verge located adjacent to the Droveaway. It is backed by a band of trees rising to 10m. On the opposite side of the road are playing fields. The site currently includes a 10m high telecommunications mono-pole, which is a telegraph pole design, and associated infrastructure.
- 1.2 The site is within the Green Belt. The nearest housing is 90m away to the south.

2. Application Details

- 2.1 The application seeks "prior approval" to replace the existing 10m high telecommunications monopole with a 15m high monopole. The proposed monopole is taller and bulkier towards its top than the existing one in order to house the antennas which would be shared with another operator.
- 2.2 The proposals would also provide an additional two equipment cabinets, taking the total number up to three.
- 2.3 In support of their application the applicants say the replacement monopole cannot be a telegraph design as per the existing monopole, as that type of monopole is technically obsolete and there is not an equivalent structure available that is able to cater for existing and future coverage demands, as well as allowing for mast sharing between different operators.
- 2.4 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the

receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 06/0810/GM/C. 10m high telecommunications monopole. Appeal allowed 12th March 2007.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no representations had been received.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority do consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise

and failure to act in the prescribed period will mean that the development will be deemed to have consent (LD/12032013/B).

8. Appraisal

- 8.1 The key issues are: -
- Siting, appearance and neighbour amenities
 - Perceived health issues

Siting, appearance and neighbour amenities

- 8.2 The site is classed as being a 'more sensitive' one within the terms of the council's interim Telecommunications Policy, because it is situated within the green belt, but as 'less sensitive' one because it already has a telecommunications pole on it. The proposed monopole would replace an existing monopole at the site. Although the proposed monopole would be 5m taller than the existing and of a bulkier appearance towards its top, because it would be set back from the road and positioned against the backdrop of trees rising to 10m, the proposals would have no material detrimental impact on the character and appearance of the Green Belt.
- 8.3 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity.
- 8.4 The nearest houses are approximately 90 metres away to the south of the site and so the proposals would not be detrimental to neighbour amenity.
- 8.5 The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health issues

- 8.6 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them".
- 8.7 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

9. Conclusion

- 9.1 The proposed telecommunications equipment would be sited on a site already occupied by telecommunications pole and cabinet; positioned a significant distance away from housing and on a grass verge, set back from the road and seen against the backdrop of trees and so would not be detrimental to

neighbour amenity, or would detract from the character or appearance of the street scene or Green Belt. On balance taking all matters into consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site, the proposal is considered to be acceptable.

- 9.2 The proposals accord with advice as set out in UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

10. Recommendation

- 10.1 It is recommended that prior approval of application reference 13/00192/TEL is given, subject to standard conditions.

Case Officer : Mr Phillip Walker
Telephone No : 01902 555632
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00192/TEL

Location	Grass Verge At The Droveaway, The Droveaway, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 390521 303489
Plan Printed	26.03.2013	Application Site Area	60m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00216/TEL **WARD:** Wednesfield South

RECEIVED: 05.03.2013

APP TYPE: Telecommunications

SITE: Grass Verge Adjacent Steelpark Way, Steelpark Way,
Wolverhampton

PROPOSAL: Removal of existing telecommunications monopole and installation of a new 15 metre high dual user telecommunications monopole with one new cabinet.

APPLICANT:

Vodafone Ltd
C/o/ Agent

AGENT:

Mr Sebastian Bowe
Mono Consultants Ltd
Steam Packet House
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is in Steelpark Way, which is an area identified for employment purposes within the Black Country Core Strategy. The area is a modern commercial / industrial area although large parts are currently undeveloped.
- 1.2 The application site is close to the entrance of the Corus Steel Service Centre on Steelpark Way and close to the junction with Bearing Drive. The centre is secured by railings with an embankment and floodlights situated beyond the fencing. The proposed development site is located on a grass verge adjacent to Steelpark Way beyond which is a footpath and a landscaped area.

2. Application details

- 2.1 The application seeks "prior approval" to replace an existing 15m high telecommunications pole with a dual user monopole of the same height. The proposed pole is slightly bulkier than the existing one towards the top, to accommodate the antennas; however the new pole will be shared with another operator.
- 2.2 The proposal would also provide an additional equipment cabinet, taking the total up to two.
- 2.3 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to

install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 Prior Notification 11/00085/TEL - Telecommunication - Vodafone/02 - Installation of a 15.0m slim lined monopole and associated equipment and housing – Granted 04.03.2011.

4. Constraints

- 4.1 Mining Referral area

5. Relevant Policies

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:
Interim Telecommunications Policy

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 At the time of writing this report, no representations have been received. The consultation period expires 4th April 2013

8. Legal Implications

- 8.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.

- 8.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. Legal Implications reference LD/14032014/1.

9. **Appraisal**

- 9.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Perceived Health Risks

Siting, appearance and neighbour amenities

- 9.2 Since the site is situated within a commercial area, in accordance with the council's Interim Telecommunications Policy, it is classed as a 'less sensitive' location. The proposal would replace an existing monopole with another dual user monopole of the same height and in the same location. The only difference would be that the replacement monopole would slightly wider towards the top to accommodate the antenna also an additional cabinet would be installed. Given that the proposed replacement monopole would only be slightly wider than the existing, the proposal is considered satisfactory and would be in accordance with the requirements of UDP policy D6, D7, D9, EP20, the Interim Telecommunications Policy and BCCS policies CSP4 and ENV3.

Perceived Health Risks

- 9.3 UDP policy EP20 states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the ICNIRP (International Commission for Non-Ionizing Radiation Protection) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning or prior approval, to consider further the health aspects and concerns about them". The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is therefore considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal.

10. **Conclusion**

- 10.1 The proposal is in a commercial location and would replace an existing telecommunications monopole with one of only a moderate increase in its width and the installation of an additional cabinet. The proposal would not have a significant impact on visual amenity. The proposal is therefore considered acceptable and in accordance with UDP and BCCS policies.

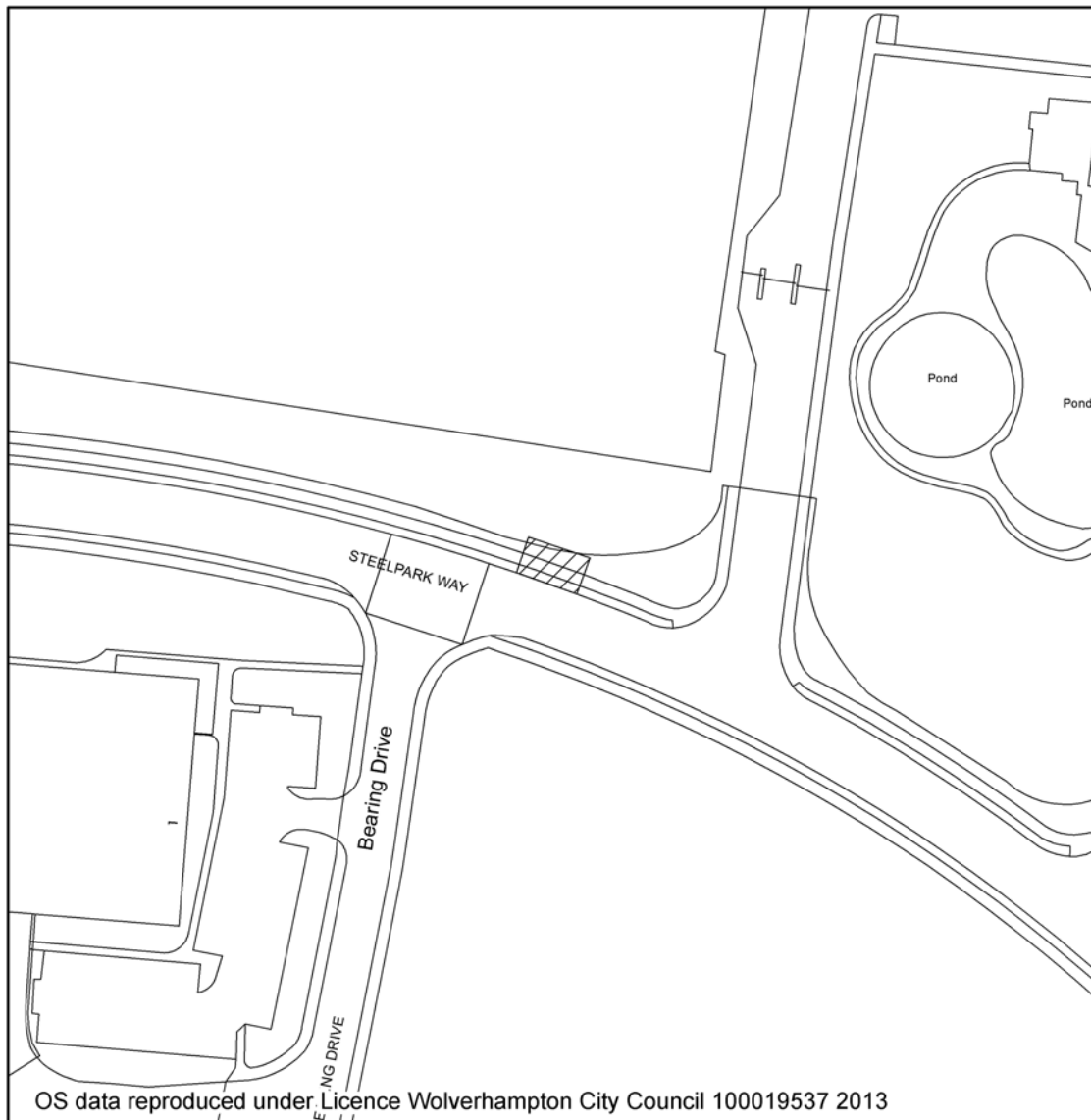
11. Recommendation

- 11.1 It is recommended that prior approval of application reference 13/00216/TEL is given, subject to standard conditions.

Case Officer : Mr Morgan Jones

Telephone No : 01902 555637

Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00216/TEL

Location	Grass Verge Adjacent Steelpark Way, Steelpark Way, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 395252 299797
Plan Printed	26.03.2013	Application Site Area	69m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00202/TEL

WARD:

Bilston East

RECEIVED: 28.02.2013

APP TYPE: Telecommunications

SITE: Junction Of Highfields Road And, Bankfield Road, Wolverhampton

PROPOSAL: Telecommunications - Replacement of existing 13.8metre dual user monopole and two equipment cabinets with 15metre high dual user monopole, six antennas and three equipment cabinets. One existing equipment cabinet and meter pillar to be retained.

APPLICANT:

Vodafone Ltd
C/o Agent

AGENT:

Mr Sebastian Bowe
Mono Consultants
Steam Packet House
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is situated on a street corner in an area of mixed residential, commercial and industrial area. The immediate area is predominantly residential, though there is a group of shops (with residential accommodation above) and other businesses to the west and a former industrial area to the north and north-east which is currently under construction for residential development.
- 1.2 The proposed development is sited adjacent an existing low boundary wall with vegetation beyond which is a car park and further to the north-east are the Greenway Road Playing Fields.

2. Application details

- 2.1 The application seeks prior consent for the replacement of an existing 13.8metre dual user monopole and two equipment cabinets with a 15metre high dual user monopole, six antennas and three equipment cabinets. One existing equipment cabinet and meter pillar is to be retained.
- 2.2 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment within any formal approval.

3. Planning History

- 3.1 11/00044/TEL – Telecommunications Development – replacement of existing 14.8m single user monopole with a 14.8metre dual user monopole with associated equipment and housing.
Granted 4 March 2011

4. Constraints

- 4.1 Mining Advice area

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:
Interim Telecommunications Policy

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 No representations received at the time of writing this report.

8. Legal Implications

- 8.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 8.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or

otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. LD/13032013/Q

9. **Appraisal**

9.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Health issues

Siting, appearance and neighbour amenities

9.2 This site already has an existing 13.8 metre high monopole and associated cabinet in very close proximity. The advice in the Interim Telecommunications Policy advises against this type of development being sited fronting main roads and in predominantly residential areas. However “less sensitive” locations include commercial and industrial sites and sites which already have telecommunications equipment on them. As the proposal is to replace an existing 13.8metre high pole (in an almost identical location), the comments of the Inspectors decision for the original proposal which gave consent for the installation of telecommunications equipment under application reference 08/00069/TEL are noted in that “the overall height would be almost half as high as the 10metre street lighting columns nearby, of which there is a significant number. However, it would be of slim design and consistent with the vertical nature of the existing lighting columns. While the pole would be in a prominent position on an open corner, when viewed from a number of locations it would be seen in the context of many other vertical elements, some of which would be closer to the observer and would hence appear at least as tall as the proposed pole and antennas.” The Inspector concluded that the development would not materially harm the character and appearance of the area subject to appropriate colour finishes.

9.3 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity. The inclusion of an additional equipment cabinet in this location, (bringing the total to three) would have no impact on amenity.

9.4 Taking all these matters into consideration, including that the equipment is a replacement of an existing facility, the fact that the operators O2 and Vodafone are site sharing in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposal is considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council’s Interim Telecommunications Policy.

Heath Issues

9.5 Unitary Development Plan policy EP20 ‘Telecommunications’ states that “it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government’s view, if a proposed mobile phone base station meets the International Commission for Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an

application for planning or prior approval, to consider further the health aspects and concerns about them”.

- 9.6 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

10. Conclusion

- 10.1 The proposal sited in a mixed use area which is residential and commercial/industrial in character which already has a pole situated on it, is considered to be on a site identified as a “less sensitive” site as defined in the Councils Interim Telecommunications Policy. On balance and taking all matters into consideration including the fact that the operators are site sharing and that the proposal seeks to replace existing equipment previously approved by the Planning Inspector, the proposal is considered to be acceptable and in accordance with advice as set out in UDP policies D7, D9, EP20, BCCS policies CSP4, ENV3 and the Interim Telecommunications Policy.

11. Recommendation

- 11.1 It is recommended that prior approval of application reference 13/00202/TEL is given, subject to standard conditions.

Case Officer : Mr Ragbir Sahota

Telephone No : 01902 555616

Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00202/TEL

Location	Junction Of Highfields Road And, Bankfield Road, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 395312 295586
Plan Printed	26.03.2013	Application Site Area	5m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00205/TEL **WARD:** East Park

RECEIVED: 26.02.2013

APP TYPE: Telecommunications

SITE: Land Between Canal Bridge And Ex Railway Bridge, Deans Road, Wolverhampton

PROPOSAL: Telecommunications - Replacement of existing 12.5metre high streetworks pole and six antenna with 12.5metre high dual user pole, six shrouded antenna and two equipment cabinets. One existing radio equipment cabinet to be retained.

APPLICANT:
Vodafone Ltd
C/o Agent

AGENT:
Ms Katy Jessop
Mono Consultants Ltd
58 Cygnet Court
Timothys Bridge Road
Stratford Upon Avon
Warks
CV37 9NW

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is the footpath on Deans Road between the junction of Wolverhampton Road and its approach to the canal bridge to the Wyrley and Essington Canal. The backdrop of the site is predominantly landscaped to the dismantled railway line with shrubbery and trees. In close proximity is CCTV and street lighting columns.
- 1.2 The area is mixed use in character with commercial units to the south-west, locally known as Crossways Shopping Centre whilst to the south and over the bridge are residential properties. To the south-east and again over the bridge from the application site are further commercial units.

2. Application details

- 2.1 The application seeks prior approval for the replacement of existing 12.5metre high streetworks pole and six antenna with 12.5metre high dual user pole, six shrouded antenna and two equipment cabinets. One existing radio equipment cabinet is to be retained.
- 2.2 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment within any formal approval.

3. Planning History

- 3.1 11/00532/TEL – Telecommunication – Vodafone/O2 – Installation of 12.5metre high streetpole enclosing two antenna and associated equipment and housing
Granted 30 June 2011

4. Constraints

- 4.1 Landfill Gas Zones
Mining Advice Area

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:
Interim Telecommunications Policy

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 No representations received at the time of writing this report.

8. Legal Implications

- 8.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 8.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local

planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. LD/13032013/Q

9. Appraisal

9.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Health issues

Siting, appearance and neighbour amenities

9.2 The site already has an existing 12.5metre high monopole enclosing two antenna and associated equipment and housing. The location of the equipment is on the footpath on Deans Road close to the Wyrley and Essington Canal Bridge. The advice in the Interim Telecommunications Policy advises against this type of equipment being sited fronting main roads and in predominantly residential areas. However 'less sensitive' locations include commercial and industrial sites and sites which already have telecommunications equipment on them. In considering this proposal, the nearest residential properties are approximately 45 metres to the south-east on the other side of the canal bridge from the application site. Furthermore, the site is in close proximity to commercial uses and although fronting a main road, is set against the backdrop of dense trees/shrubbery and next to an existing CCTV pole and street lighting poles. As a result and taking into consideration the slim line design of the proposed pole and that the proposal is replacing existing equipment, it is considered when viewed from any significant location, the telecommunications development would be seen in the context of many other vertical elements and against a backdrop of a rising landscaped mound and as a result would not materially harm the character and appearance of the area.

9.3 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity. The addition of additional equipment cabinet would have no impact on amenity.

9.4 Taking all these matters into consideration, including that the equipment is a replacement of an existing facility, the fact that the operators O2 and Vodafone are site sharing in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health Issues

9.5 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-ionizing Radiation Protection (ICNIRP) guidelines for public exposure it

should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them”.

- 9.6 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

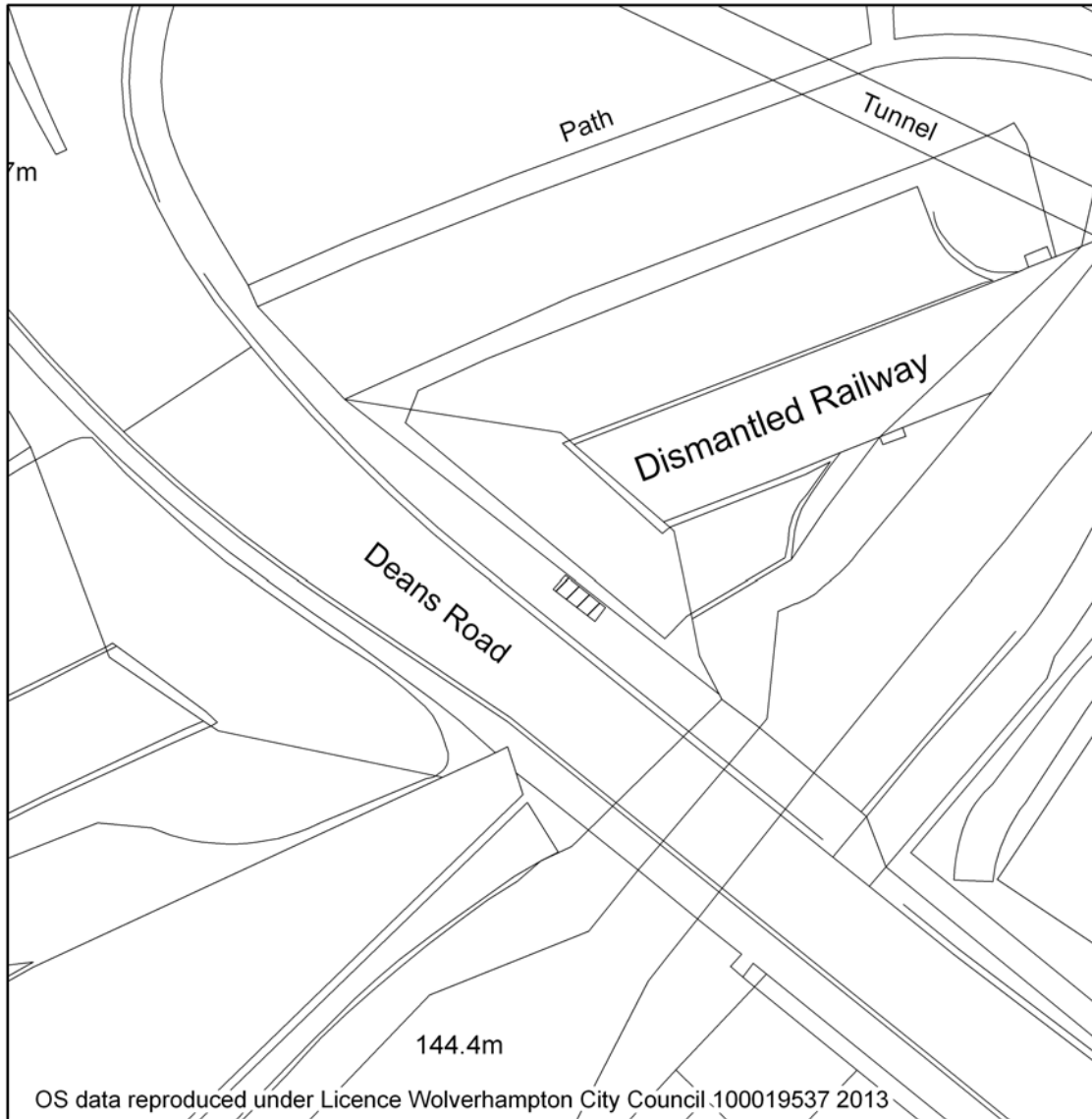
10. Conclusion

- 10.1 The proposal is sited in a mixed use area which is residential and commercial/industrial in character. The site is considered to be ‘between’ sensitive and non-sensitive locations as defined in the Councils Interim Telecommunications Policy. However on balance and taking all matters into consideration including the fact that the operators are site sharing, the equipment being sited adjacent to the backdrop of rising ground and dense shrubbery and trees, the proposal is considered to be acceptable and in accordance with advice as set out in UDP policies D6, D7, D9, EP20, BCCS polices CSP4, ENV3 and the Council’s Interim Telecommunications Policy.

11. Recommendation

- 11.1 It is recommended that prior approval of application reference 13/00205/TEL is given, subject to standard conditions.

Case Officer : Mr Ragbir Sahota
Telephone No : 01902 555616
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00205/TEL

Location	Land Between Canal Bridge And Ex Railway Bridge, Deans Road, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 393279 299389
Plan Printed	26.03.2013	Application Site Area	6m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00206/FUL

WARD: Oxley

RECEIVED: 26.02.2013

APP TYPE: Full Application

SITE: The Droveaway, Wolverhampton

PROPOSAL: Telecommunications - Replacement of 17.5metre high monopole with 17.5metre high dual user monopole housing three antennas and two radio equipment cabinets. One existing radio cabinet to be retained.

APPLICANT:

Vodafone Ltd

C/o Agent

AGENT:

Mr Scott Bracken
Mono Consultants Ltd
Steam Packet House
1st Floor
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is adjacent to an area of open space within the grass verge on The Droveaway. The land is also identified as green belt. The area is open in character with a dense backdrop of trees and hedges to the rear of the proposed equipment.
- 1.2 The surrounding area predominantly to the north-east, east and the south is characterised by residential properties. The nearest residential dwelling is some 90metres from the proposed equipment.

2. Application details

- 2.1 The application seeks planning permission for the replacement of an existing 17.5metre high monopole with a 17.5metre high dual user monopole housing three antennas and two radio equipment cabinets. One existing radio cabinet is to be retained.

3. Planning History

- 3.1 11/00667/FUL for Telecommunication - Vodafone 17.5m slimline streetpole and associated equipment and housing, Granted 25.08.2011.

4. Constraints

- 4.1 Recreational Open Space
Green Belt
Landfill Gas Zone

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:
Interim Telecommunications Policy

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 No representations received at the time of writing this report.

8. Legal Implications

- 8.1 General legal implications are set out at the beginning of the schedule planning applications. LD/14032013/O

9. Appraisal

- 9.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Health issues

Siting, appearance and neighbour amenities

- 9.2 The site is classed as being a ‘more sensitive’ one within the terms of the Council’s Interim Telecommunications Policy, because it is situated within the green belt and close to public open space, but as a ‘less sensitive’ one because it already has a telecommunications pole on it. The proposed monopole would replace an existing monopole at the site. The proposed monopole has a bulkier appearance than the existing equipment however, as a result of its positioning being set back from the road and positioned against the backdrop of trees, the

proposal would have no material detrimental impact on the character and appearance of the Green Belt or the street scene.

- 9.3 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity. The addition of additional equipment cabinet would have no impact on amenity.
- 9.4 The nearest houses are approximately 90 metres away to the north-east of the site and so the proposal would not be detrimental to neighbour amenity.
- 9.5 Taking all these matters into consideration, including that the equipment is a replacement of an existing facility, the fact that the operators O2 and Vodafone are site sharing in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposal is considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health Issues

- 9.6 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them".
- 9.7 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

10. Conclusion

- 10.1 The proposed dual user monopole would be sited on a site already occupied by telecommunications equipment and positioned a significant distance away from housing and so would not be detrimental to neighbour amenity. The site is on a grass verge, set back from the road and seen against the backdrop of trees and is considered as not to detract from the character or appearance of the street scene or Green Belt or Public Open Space. On balance taking all matters into consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site, the proposal is considered to be acceptable.

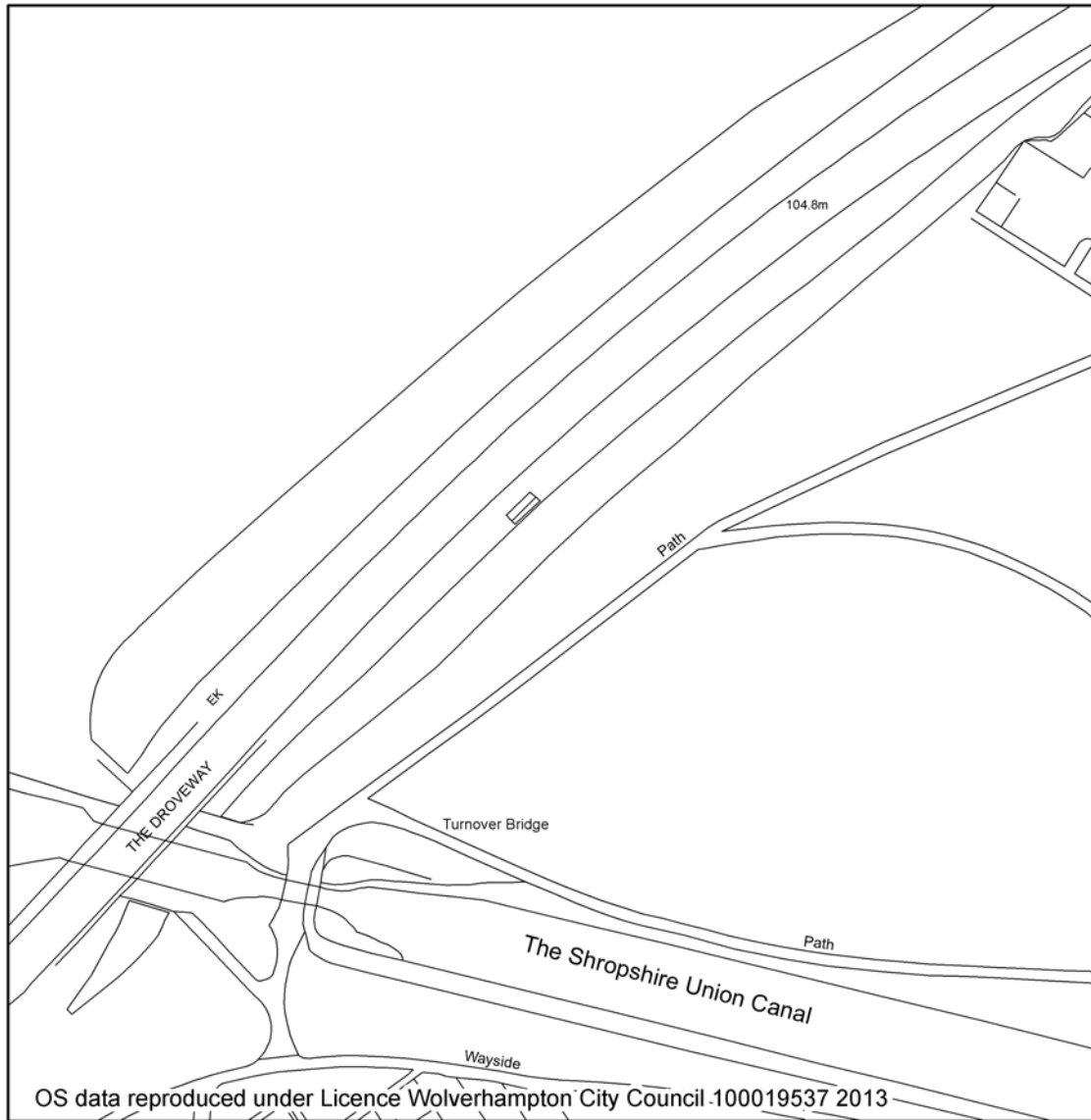
11. Recommendation

11.1 That planning application 13/00206/FUL be granted, subject to standard conditions.

Case Officer : Mr Ragbir Sahota

Telephone No : 01902 555616

Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00206/FUL

Location	The Droeway, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 389100 302616
Plan Printed	26.03.2013	Application Site Area	12m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00203/TEL

WARD: Ettingshall

RECEIVED: 26.02.2013

APP TYPE: Telecommunications

SITE: Openreach BT, Telecommunications Cabinet At Junction Overfield Drive And, Black Country Route, Wolverhampton

PROPOSAL: Replacement of 15m monopole radio base station with 15m monopole, and equipment cabinet

APPLICANT:
Vodafone Limited
C/O Agent

AGENT:
Dominic Needham
Mono Consultants Ltd
76 Steam Packet House
Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is located at the junction with the Black Country Route and Overfield Drive, Wolverhampton. The area is mixed use in character with residential to the north, and commercial/industrial to the south.
- 1.2 The area between the application site and the residential properties is dominated by a large landscape buffer, formed by recreational open space and deciduous trees.

2. Application details

- 2.1 The application has been made to the local planning authority for "prior approval" to replace the existing 15m high telecommunications mono pole with a 15m high dual user mono pole.
- 2.2 The proposed dual user mono pole is the same bulk and width as the existing one, and the new mast will be shared with another operator.
- 2.3 The proposals would also provide an additional equipment cabinet, taking the total number up to three.
- 2.4 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 **10/01396/TEL** for Vodafone and Telefonica O2 installation of 15m high streetpole and 2.5 cubic metre ground equipment housing and pillar.,
Granted - 02.02.2011.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no letters of objection had been received.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority do consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent.
(LD/12032013/L)

8. Appraisal

8.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Health issues

Siting, appearance and neighbour amenities

8.2 This site already has a 15 metre high single user mono pole and associated cabinet on it. It is therefore classed in accordance with the Council's Interim Telecommunications Policy as a 'less sensitive site'. As with the existing pole, the new pole will be visible from the properties in Hopyard Gardens. The distance from the nearest residential property to the pole is 41m, with the landscape buffer offering further visual separation. Consequently the visual appearance of the new pole, which is the same dimensions as the existing is on balance acceptable.

8.3 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity. The addition of a second equipment cabinet would have no impact on amenity.

8.4 Taking all matters into consideration, including the fact that the operators O2 and Vodafone are site sharing in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health Issues

8.5 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them".

8.6 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

9. Conclusion

9.1 The proposed telecommunications equipment is to be on a site already in use for the purpose; positioned a significant distance away from housing and by virtue of its design and the landscape buffer offering visual separation, would not be detrimental to neighbour amenity. On balance taking all matters into

consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site, the proposal is considered to be acceptable and consistent with the Development Plan.

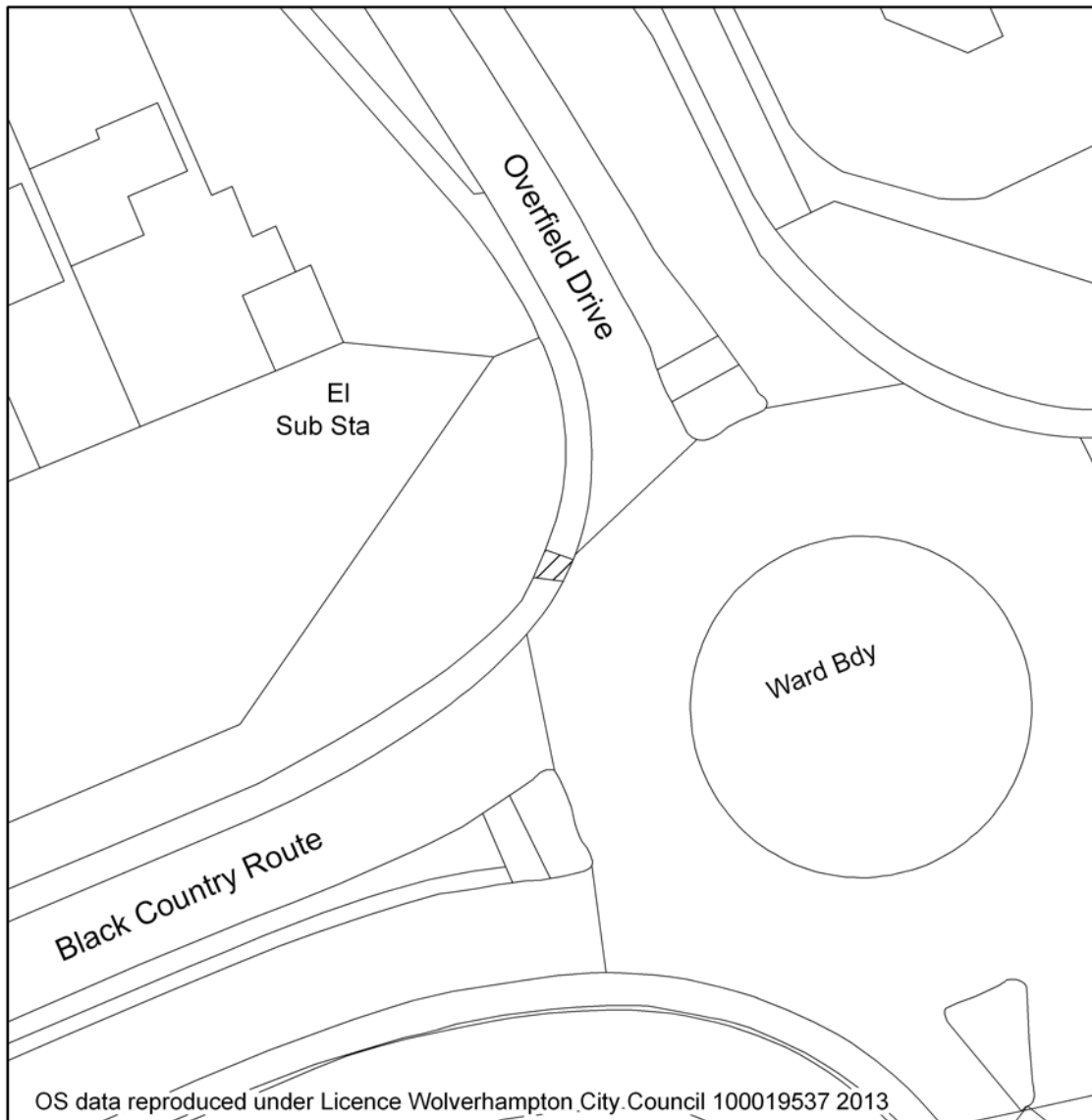
10. Recommendation

10.1 It is recommended that prior approval of application reference 13/00203/TEL is given, subject to standard conditions.

Case Officer : Mr Andy Carter

Telephone No : 01902 551132

Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00203/TEL

Location	Openreach BT, Telecommunications Cabinet At Junction Overfield Drive And,Black Country Route,Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 393708 295077
Plan Printed	26.03.2013	Application Site Area	5m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00199/TEL **WARD:** Tettenhall Regis

RECEIVED: 25.02.2013

APP TYPE: Telecommunications

SITE: Land Fronting Murco Filling Station, Codsall Road, Wolverhampton,

PROPOSAL: Installation of a 15m streetpole radio base station and 2No radio equipment cabinets

APPLICANT:
Vodafone Limited
C/o Agent

AGENT:
Mr Dominic Needham
Mono Consultants Limited
First Floor
76 Steam Packet House
Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is located in a prominent position at a five way roundabout junction, in front of the petrol filling station between the Codsall Road and Pendeford Avenue exits. There is an existing 12.5m telecommunications monopole and two associated equipment cabinets at the location.
- 1.2 Although the area is predominantly residential, this junction has a mixed character, being dominated by the petrol filling station with its associated signage and prominent canopy. There are also a number of shops and commercial premises facing onto the roundabout. The island is lit by a number of mainly 8m high street lights, in addition to these there is an array of road signage and other street furniture including a number of service cabinets.

2. Application Details

- 2.1 The application seeks "prior approval" to replace an existing 12.5m high dual user monopole with a dual user monopole at 15m in height. The proposal also seeks an additional two equipment cabinets to be installed on the footway adjacent to the pole, bringing the total to four cabinets at the site.
- 2.2 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 11/00449/TEL for Telecommunication - Vodafone/02 - installation of a 12.5m Streetpole enclosing 2 antenna and associated equipment and housing. Granted on appeal 12 December 2011.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824).

6. Publicity

- 6.1 The consultation period expires 3rd April 2013. At the time of writing this report seven letters of objection had been received. The objections can be summarised as follows:
- The proposed development will be unduly prominent and detrimental to the appearance of the streetscene.
 - There is insufficient evidence that alternative sites have been considered.
 - No evidence provided that there is a need for this development.
 - Health concerns.

7. Internal Consultees

- 7.1 **Transportation Development** – There are no transportation objections to the proposal.

8. Legal Implications

- 8.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and

importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.

- 8.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. KR/15032013/D

9. Appraisal

- 9.1 The key issues are:

- Principal of the development
- Siting, appearance and neighbour amenities
- Highway safety
- Perceived health risks

Principal of the Development

- 9.2 The NPPF advises that advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communication networks also play a vital role in enhancing the provision of local community facilities and services. At a local level both the Council’s Interim Telecommunications Policy and UDP Policy EP20 set out the criteria for granting planning permission for telecommunication applications and prior approval.

- 9.3 The proposed monopole and associated equipment will remain in dual use and the additional height now proposed, is required to meet the applicant’s technical requirements and provide adequate coverage for the target area. As the site already has a pole on it, is classed as a ‘less sensitive’ one in the council’s Interim Telecommunications Policy. Consequently the development meets the requirements of the relevant planning policies and is therefore acceptable in principal.

Siting, appearance and neighbour amenities

- 9.4 The proposal would replace an existing monopole with another monopole with an increased height of 2.5m in the same location. Although the increased height will make the pole more visible on the skyline the difference would appear minimal when viewed from any distance. Furthermore taking the wider part of the pole higher and therefore further away from pavement level will visually reduce the bulkiness of the mast when it is viewed at street level within the locality.

- 9.5 The proposed additional cabinets will appear higher but slimmer than those presently at the site and are designed to accommodate the equipment needed for the upgrade. As there is a wide pavement area in front of the garage the cabinets will not obstruct the footpath. The cabinets will have the service station forecourt as a backdrop which has a busy appearance with a prominent

canopy, a range of signage, petrol pumps and other structures. Consequently the two additional cabinets will not appear dominant or incongruous within this setting.

- 9.6 Given there is an established street pole at this location it is considered the proposed development would have no greater impact on neighbour amenity than that which already exists. Therefore the proposed replacement monopole and additional cabinets would not unduly affect the character and appearance of the area and so not cause significant harm to neighbour amenity. The proposal is therefore considered satisfactory and would be in accordance with the requirements of UDP policy D6, D7, D9, EP20, the Interim Telecommunications Policy and BCCS policies CSP4 and ENV3.

Highway safety

- 9.7 The existence of the proposed pole and equipment cabinets will not prevent vehicles emerging from the petrol station forecourt having sufficient vehicular and pedestrian visibility. The proposal is therefore not detrimental to highway safety and is in accordance with UDP policy AM15.

Perceived Health Risks

- 9.8 UDP policy EP20 states that “it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government’s view, if a proposed mobile phone base station meets the ICNIRP (International Commission for Non-Ionizing Radiation Protection) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning or prior approval, to consider further the health aspects and concerns about them”. The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is therefore considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal.

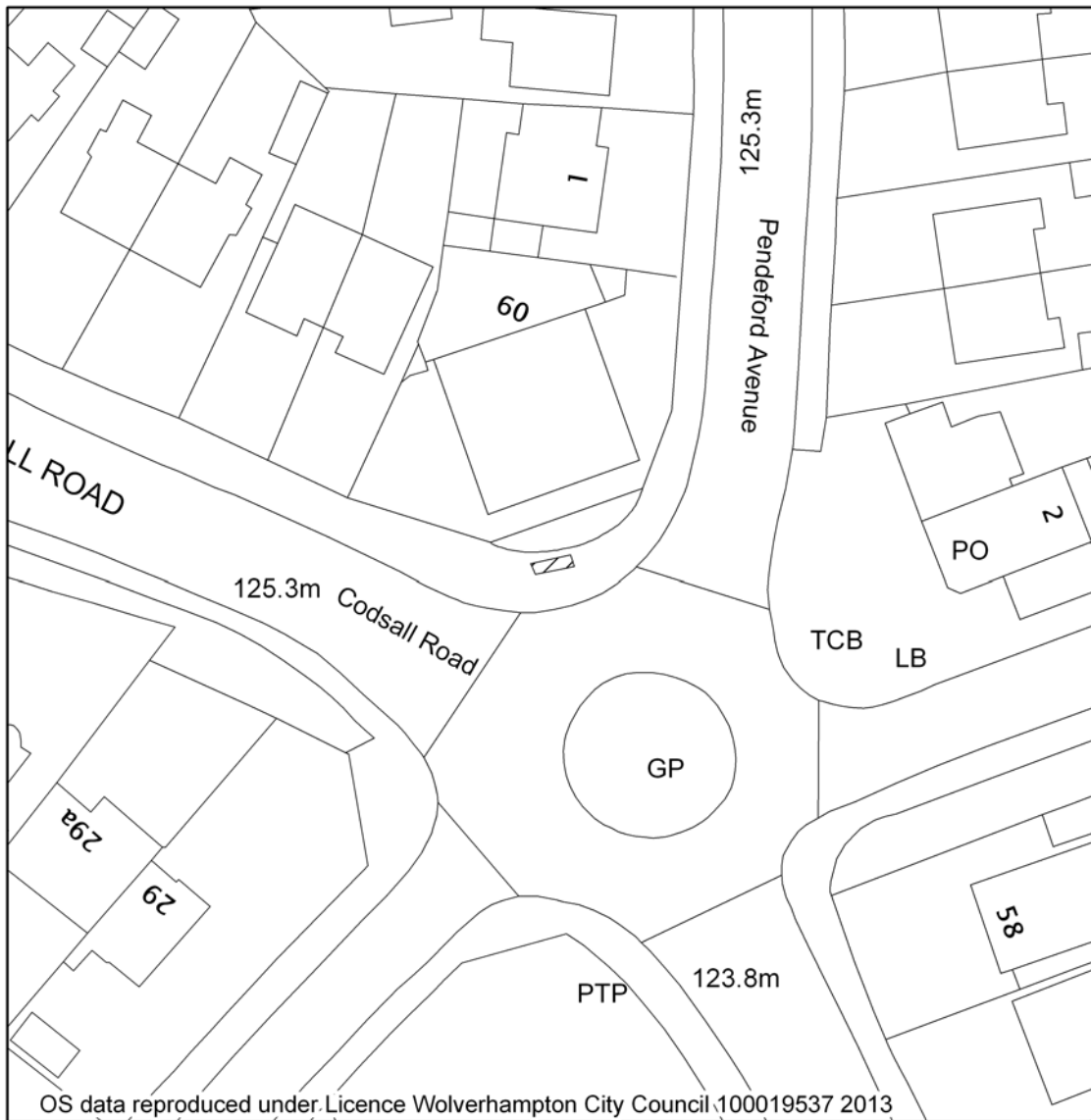
10 Conclusion

- 10.1 On balance, whilst the proposed development will appear more noticeable at this locality than the existing mast and associated equipment it would not significantly worsen the skyline or be significantly more incongruous or unduly overbearing than the existing equipment in the streetscene at this junction, being a relatively small addition to the existing installation and will be seen against the already busy backdrop of the petrol filling station. The proposal is therefore considered acceptable and in accordance with UDP and BCCS policies.

11. Recommendation

- 11.1 That prior approval of application reference 13/00199/TEL is given, subject to standard conditions.

Case Officer : Mr Colin Noakes
Telephone No : 01902 551124
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00199/TEL

Location	Land Fronting Murco Filling Station, Codsall Road, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 389183 301150
Plan Printed	26.03.2013	Application Site Area	3m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00237/TEL **WARD:** Ettingshall

RECEIVED: 06.03.2013

APP TYPE: Telecommunications

SITE: Grassed Land Fronting 39-41, Birmingham New Road,
Wolverhampton

PROPOSAL: Removal of existing telecommunications monopole and installation of
a new 15 metre high dual user telecommunications monopole with
one new cabinet.

APPLICANT:
Vodafone Ltd
C/O Agent

AGENT:
Mr Sebastian Bowe
Mono Consultants Ltd
76 Steam Packet House
Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

1.1 The application site forms a grassed verge adjacent to the highway to the front of 31-49 Birmingham New Road. The verge contains a line of relatively mature trees which are approximately 14m high. The existing monopole is sited amongst this line of trees.

1.2 The area is mixed use; there is a variety of commercial and residential units in proximity to the site.

2. Application details

2.1 The application seeks "prior approval" to replace an existing 15m high telecommunications pole with a dual user monopole of the same height. The proposed pole is slightly bulkier than the existing one towards the top, to encase the antennas; however the new pole will be shared with another operator.

2.2 The proposal would also provide an additional equipment cabinet, taking the total up to three.

2.3 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 11/00916/TEL for Telecommunications - installation of 15m high monopole with associated equipment – Granted 09.11.2011.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Interim Telecommunications Policy:

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no representation had been received. The consultation period expires 10th April 2013

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. LD/13032013/Y

8. Appraisal

8.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Perceived Health Risks

Siting, appearance and neighbour amenities

8.2 The site is in a mixed commercial/residential location and already has an existing telecommunications pole on it. It is therefore classed as a 'less sensitive' site in accordance with the council's Interim Telecommunications Policy. The proposal would replace an existing monopole with another monopole of the same height and in the same location. The only difference would be that the replacement monopole would be slightly wider towards the top to accommodate the antenna with an additional cabinet installed. Given that the proposed replacement monopole would only be slightly wider towards the top than the existing, the proposal is considered satisfactory and would be in accordance with the requirements of UDP policy D6, D7, D9, EP20, the Interim Telecommunications Policy and BCCS policies CSP4 and ENV3.

Perceived Health Risks

8.3 UDP policy EP20 states that 'it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the ICNIRP (International Commission for Non-Ionizing Radiation Protection) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning or prior approval, to consider further the health aspects and concerns about them'. The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is therefore considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal.

9. Conclusion

9.1 The proposal would replace an existing telecommunications monopole with one of only a moderate increase in its width and the installation of an additional cabinet, to enable the pole to be shared with another user. The proposal would not have a significant impact on visual amenity. The proposal is therefore considered acceptable and in accordance with UDP and BCCS policies.

10. Recommendation

10.1 That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant telecommunications notification 13/00237/TEL subject to no public objections raising new material planning considerations. (Neighbour notification time expires on 10 April 2013)

Case Officer : Mr Mark Elliot
Telephone No : 01902 555648
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00237/TEL

Location	Grassed Land Fronting 39-41, Birmingham New Road, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 392301 296303
Plan Printed	26.03.2013	Application Site Area	5m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00239/FUL

WARD: Ettingshall

RECEIVED: 05.03.2013

APP TYPE: Full Application

SITE: Grass Verge Outside The Copper Bowl, Birmingham New Road, Wolverhampton

PROPOSAL: Telecommunications - Replacement of 17.5metre high streetpole with 17.5metre high dual user streetpole, housing six antenna and two equipment cabinets

APPLICANT:

Vodafone Ltd
C/o Agent

AGENT:

Mr Sebastian Bowe
Mono Consultants Ltd
76 Steam Packet House
First Floor
Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site forms a grassed verge adjacent to the highway to the front of The Copper Bowl, Birmingham New Road. The verge contains a line of relatively mature trees and the existing monopole is sited amongst this line of trees.
- 1.2 The area is predominantly residential in character with a community centre and The Copper Bowl in close proximity to the site.

2. Application details

- 2.1 The application seeks full planning permission to replace an existing 17.5m high monopole with a dual user monopole of the same height which will be slightly slimmer at its bottom section than the existing pole. The proposed pole will be shared with another operator and the proposal would also provide two small additional equipment cabinets, making a total of three.

3. Planning History

- 3.1 11/00386/FUL – Telecommunication – Vodafone/O2 – Installation of a 17.5m Hutchinson Jupiter, slim lined streetpole and associated equipment and housing. Granted – 25 May 2011.

4. Constraints

- 4.1 Landfill Gas Zone
Mining Area

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:
Interim Telecommunications Policy

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 No representations received at the time of writing this report.

8. Legal Implications

- 8.1 General legal implications are set out at the beginning of the schedule of planning applications. LD/14032013/C

9. Appraisal

- 9.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Perceived Health Risks

Siting, appearance and neighbour amenities

- 9.2 The site is in a predominantly residential location with commercial properties in close proximity, namely The Copper Bowl and a community centre and already has an existing telecommunications pole on it. It is therefore classed as a ‘less sensitive’ site in accordance with the Council’s Interim Telecommunications Policy. The proposal would replace an existing monopole with another monopole of the same height and in the same location. Given that the proposal is primarily a replacement monopole, the proposal is considered satisfactory and would be in accordance with the requirements of UDP policy D6, D7, D9,

EP20, the Interim Telecommunications Policy and BCCS policies CSP4 and ENV3.

Perceived Health Risks

- 9.3 UDP policy EP20 states that 'it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the ICNIRP (International Commission for Non-Ionizing Radiation Protection) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning or prior approval, to consider further the health aspects and concerns about them'. The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is therefore considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal.

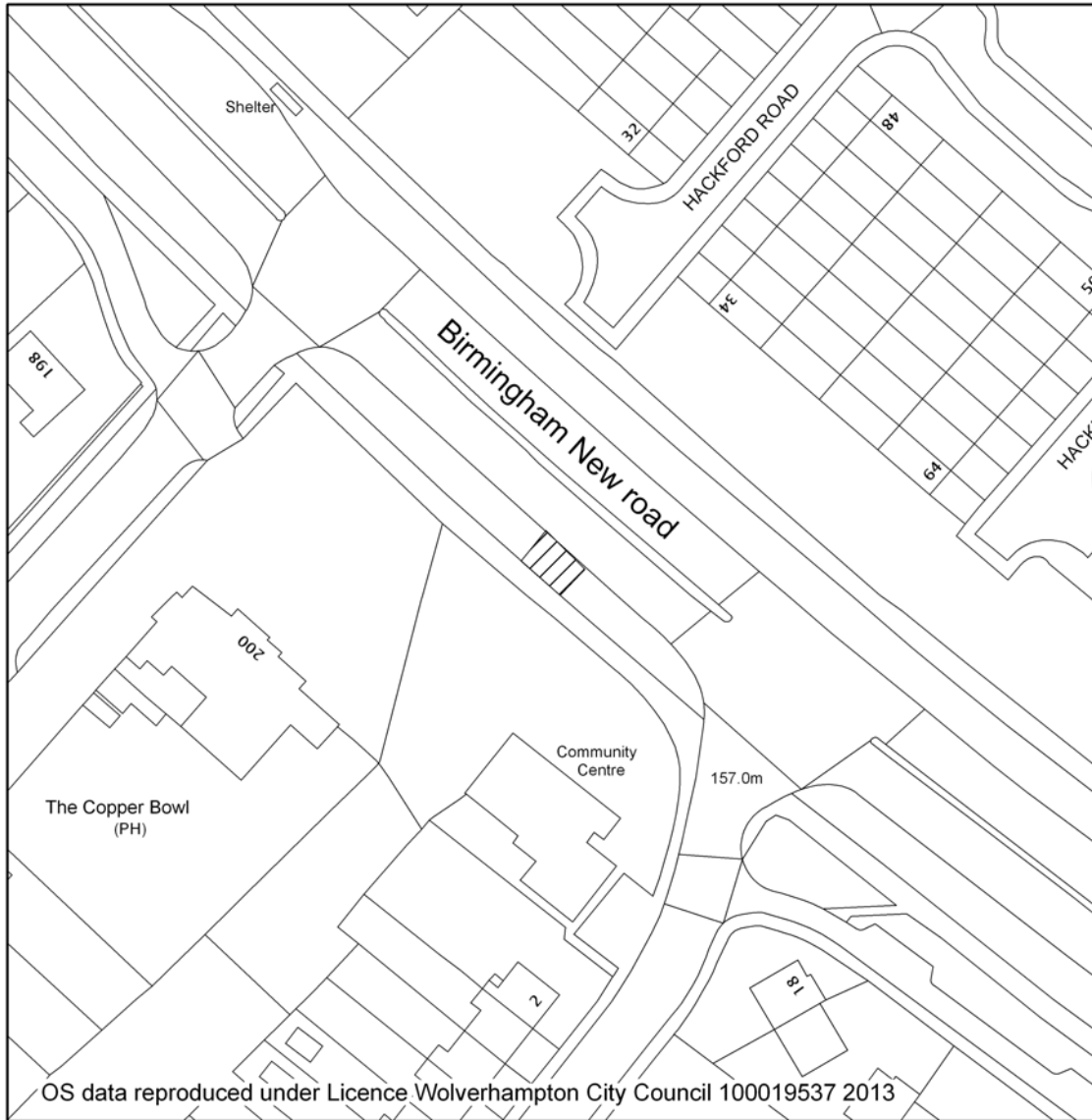
10. Conclusion

- 10.1 The proposal would replace an existing telecommunications monopole with an almost identical one and includes the installation of additional cabinet, to enable the pole to be shared with another user. The proposal would not have a significant impact on visual amenity. The proposal is therefore considered acceptable and in accordance with UDP and BCCS policies.

11. Recommendation

- 11.1 That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant planning application 13/00239/FUL subject to no further public objections raising new material planning considerations. (Neighbour notification time expires on 10 April 2013)

Case Officer : Mr Ragbir Sahota
Telephone No : 01902 555616
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00239/FUL

Location	Grass Verge Outside The Copper Bowl, Birmingham New Road, Wolverhampton		
Plan Scale (approx)	1:1000	National Grid Reference	SJ 392246 296548
Plan Printed	26.03.2013	Application Site Area	36m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00217/TEL **WARD:** Penn

RECEIVED: 28.02.2013

APP TYPE: Telecommunications

SITE: Land East Of Junction With Manor Road, Penn Road,
Wolverhampton

PROPOSAL: Replacement of existing 12.5 metre replica telegraph pole with a 12.5 metre dual user monopole and replacement of one of the existing two cabinets.

APPLICANT:
Vodafone Ltd.
CoA

AGENT:
Mr. Chris Taylor
Mono Consultants Ltd.
Steam Packet House
76 Cross Street
Manchester
M2 4JG

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is a grass verge on the corner of Manor Road and Penn Road, Wolverhampton, a prominent corner site located on the busy A449 leading in and out Wolverhampton City Centre.
- 1.2 The site is also in close proximity of a Medical Health Centre and a local shopping centre. The remaining area is predominantly residential in character. Towards the back of the application site is Muchall Park.
- 1.3 The nearest residential dwelling is more than 50 metres away from the proposed equipment.

2. Application details

- 2.1 The proposals are for the replacement of the existing 12.5m replica telegraph pole with a 12.5m dual user street monopole and replacement of one of the two existing cabinets.
- 2.2 The proposed monopole whilst its height is same as the existing, its width varies at 8m to 12.5m high from approximately 325mm to 540mm maximum diameter.
- 2.3 The proposed ancillary cabinets would be located in similar position to the existing. Only one of the two proposed cabinets varies in size from the original cabinet unit which is approximately 1.5m wide by 1.5m tall. The dimensions of the proposed replacement cabinet are 1.8m wide by 1.5m tall by 3.52m wide.

- 2.4 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 08/00754/TEL for Installation of a radio base station consisting of a 12.5m high imitation 'telegraph pole' structure supporting 3No. 3G antennae with ground based equipment cabinet and ancillary development. Granted by default 15.07.2008.
- 3.2 01/1214/GM for Telecommunications equipment comprising 1No. 11m mast and associated equipment cabin. Refused, 30.10.2001.

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824).

6. Publicity

- 6.1 At the time of writing this report, no representation had been received. The consultation period expires 8th April 2013.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the

local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.

- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. KR/15032013/L

8. Appraisal

- 8.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Health issues

Siting, appearance and neighbour amenities

- 8.2 The site is classed as being a ‘more sensitive’ one within the terms of the Council’s Interim Telecommunications Policy, because it is situated fronting onto a transport corridor (A449) and close to public open space, but as a ‘less sensitive’ one because it already has a telecommunications pole on it. The proposed monopole would replace an existing pole at the site.
- 8.3 As with the existing pole, the new pole will be visible from the properties in the vicinity of the site along the Penn Road and Manor Road. The replacement pole has a bulkier appearance than the existing but in the context of the existing street scene the impact upon amenity is not deemed to be significant. The existing pole is dark in colour which makes it stand out. The new pole will be light grey in colour and so less likely to stand out.
- 8.4 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity.
- 8.5 The nearest house is approximately 50 metres away to the north of the site and so the proposal would not be detrimental to neighbour amenity.
- 8.6 Taking all these matters into consideration, including that the equipment is a replacement of an existing facility, the fact that the operators O2 and Vodafone are site sharing in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposal is considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council’s Interim Telecommunications Policy.

Health Issues

- 8.7 Unitary Development Plan policy EP20 ‘Telecommunications’ states that “it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government’s view, if a proposed mobile phone base station meets the International Commission for Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure it

should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them”.

- 8.8 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

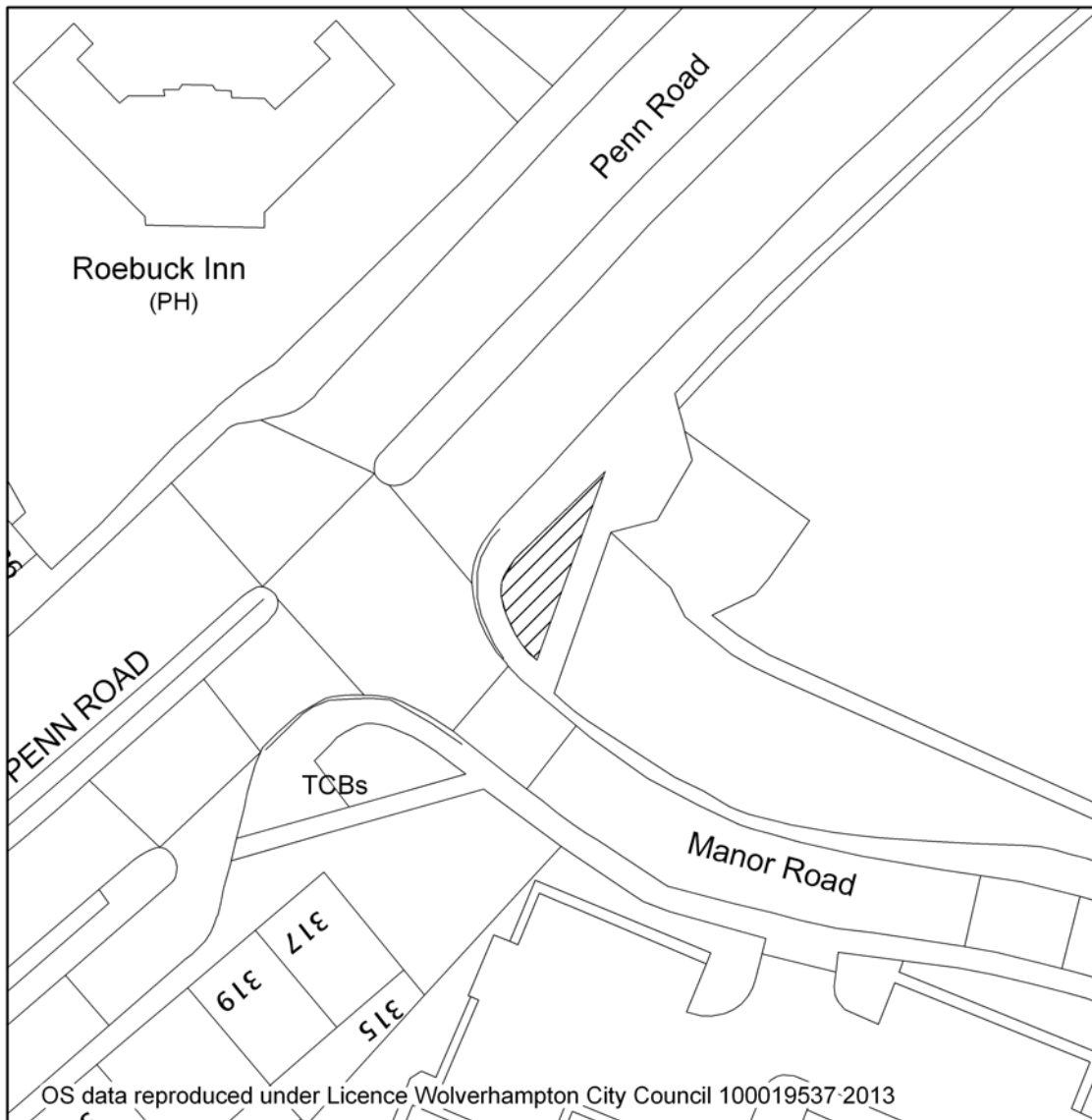
9. Conclusion

- 9.1 The proposed telecommunications equipment is to be on a site already in use for the purpose. The additional bulk of the pole is marginal, and is not judged to be detrimental to the street scene or neighbour amenity. On balance taking all matters into consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site, the proposal is considered to be acceptable and consistent with the Development Plan.

10. Recommendation

- 10.1 It is recommended that prior approval of application reference 13/00217/TEL is given, subject to standard conditions.

Case Officer : Ms Marcela Quiñones
Telephone No : 01902 555607
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00217/TEL

Location	Land East Of Junction With Manor Road, Penn Road, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 389715 295886
Plan Printed	26.03.2013	Application Site Area	46m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00240/TEL **WARD:** Penn

RECEIVED: 04.03.2013

APP TYPE: Telecommunications

SITE: Land North Of Junction With Springhill Lane, Penn Road,
Wolverhampton, West Midlands

PROPOSAL: Replacement of 12m monopole with 12m dual user monopole and
2no additional radio equipment cabinets

APPLICANT:
Vodafone Ltd
C/O Agent

AGENT:
Scott Bracken
Mono Consultants Ltd
Steam Packet House
76 Cross Street
M2 4JG

COMMITTEE REPORT:

1. Site Description

1.1 The application site is at the junction of Penn Road and Spring Hill Lane, within the Spring Hill local centre. The area is mixed use in character with local shops to the north and residential properties to the west, south and east. The immediate street scene is dominated by the Penn Road dual carriageway.

2. Application details

2.1 The application seeks prior approval for the replacement of the existing 12m monopole with a 12m dual user monopole and two additional radio equipment cabinets.

2.2 The bulk of the replacement monopole is similar to that of the existing. At ground level to 6m the existing is 40cm wide, the proposed is 32cm wide over the same length. From 6m to 12m the existing varies in width from 27cm - 40cm. The proposed varies from 32cm to 54cm wide over the same length.

2.3 The proposed location of the two additional radio equipment cabinets is set back from the pavement edge by 3m, in line with the existing cabinet. The dimensions of the proposed cabinets are 1.7m x 1.9m x 0.9m and 1.9m x 0.9m x 0.9m (height x width x depth).

2.4 This application is not a planning application, but a type of application known as a 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the applicant is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 03/1408/GT for Telecommunications development comprising 12.5 Metre high monopole mast, 3 no. antenna and associated equipment housing. Granted on appeal 15 July 2004

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 At the time of writing this report, no representations had been received.

7. Legal Implications

- 7.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 7.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority do consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent.
(LD/14032013/U).

8. Appraisal

8.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Health issues

Siting, appearance and neighbour amenities

8.2 This site already has a 12 metre high single user mono pole and associated cabinet on it. It is therefore classed in accordance with the Council's Interim Telecommunications Policy as a 'less sensitive site'.

As with the existing pole, the new pole will be visible from the properties in the vicinity of the site along the Penn Road, Springhill Lane and Buttons Farm Road. The replacement pole is of slightly greater bulk than the existing but in the context of the existing street scene the impact upon amenity is not deemed to be of significance.

8.3 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity. The addition of two equipment cabinets would have no undue impact on amenity or appearance in the street scene.

8.4 In view of the fact that there is a pole already on the site and that the operators O2 and Vodafone are site sharing, in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health Issues

8.5 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an application for planning or prior approval, to consider further the health aspects and concerns about them".

8.6 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

9. Conclusion

9.1 The proposed telecommunications equipment is to be on a site already in use for the purpose. The additional bulk of the pole is marginal, and is not judged to be detrimental to the street scene or neighbour amenity. On balance taking

all matters into consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site, the proposal is considered to be acceptable and consistent with the Development Plan.

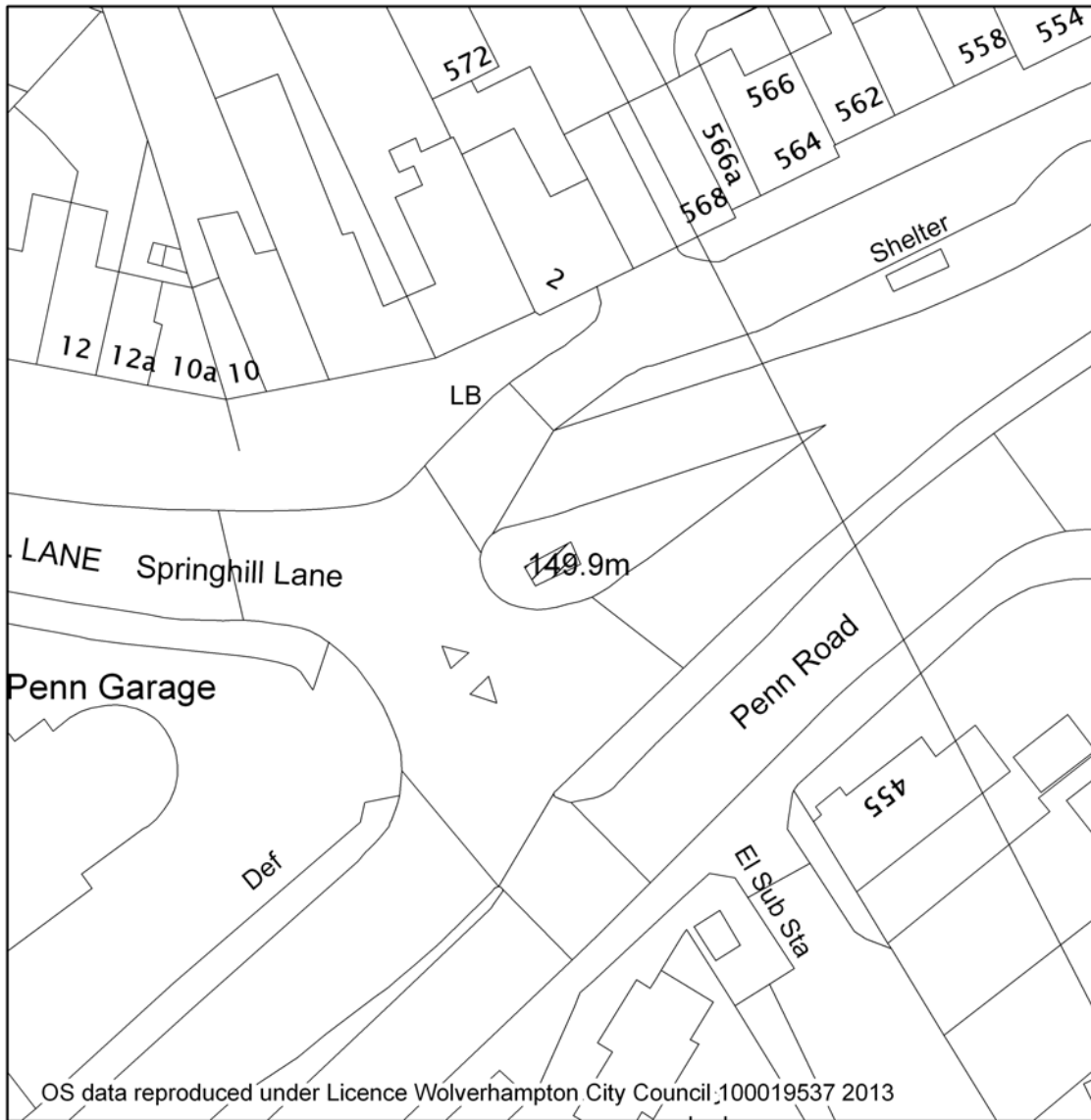
10. Recommendation

10.1 It is recommended that prior approval of application reference 13/00240/TEL is given, subject to standard conditions.

Case Officer : Mr Andy Carter

Telephone No : 01902 551132

Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00240/TEL

Location	Land North Of Junction With Springhill Lane, Penn Road, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 388565 295374
Plan Printed	26.03.2013	Application Site Area	8m ²

PLANNING COMMITTEE - 09-Apr-13

APP NO: 13/00263/TEL **WARD:** East Park

RECEIVED: 15.03.2013

APP TYPE: Telecommunications

SITE: Land At, Willenhall Road Service Road Corner Of East Park Way,
Wolverhampton

PROPOSAL: Telecommunications - Replacement of existing 15metre high
monopole and antenna with 15metre high dual user monopole and
antenna. Existing equipment cabinet to remain.

APPLICANT:
Vodafone Ltd
C/o Agent

AGENT:
Ms Katy Jessop
Mono Consultants Ltd
58 Cygnet Court
Timothys Bridge Road
Stratford Upon Avon
Warks
CV37 9NW

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is the grass verge along Willenhall Road, a primary route, on its approach to Wolverhampton City Centre. The site is on the corner of East Park Way and the service road to Willenhall Road. The grass verge comprises hedges, tree screening and vertical elements primarily street lighting.
- 1.2 The area is predominantly residential in character although commercial uses exist within close proximity. The nearest residential property is located approximately 17metres away at East Park Way.

2. Application details

- 2.1 The application is for the replacement of an existing 15metre high monopole and enclosed antenna with a 15metre high dual user monopole and enclosed antenna. The proposed monopole is slightly wider than the existing equipment primarily at the top as a result of additional antenna being enclosed from three to six. The existing equipment cabinet is to remain.
- 2.2 The application is not a planning application, but a type of application known as 'Prior Notification'. This means that the Council has exactly 56 days from the receipt of application to make a decision on it. Failure to do so and deliver formal notice of that decision within 56 days means that the equipment is able to install the proposed telecommunications equipment without any formal approval.

3. Planning History

- 3.1 11/00533/TEL for Telecommunication - Vodafone/02 - Installation of 15m high streetpole enclosing two antenna and associated equipment and housing. Granted dated 30.06.2011.

4. Constraints

- 4.1 Mining Area

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:
Interim Telecommunications Policy

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 No representations received at the time of writing this report.

8. Legal Implications

- 8.1 In the case of mobile phone masts up to 15 metres there is a modified system of planning control that is governed by permitted development rights under Part 24 – Development by Electronic Communications Code Operators of the Town and Country Planning (General Permitted Development) Order 1995. The permitted development rights are subject to a number of conditions and importantly before development begins an application must be made to the local planning authority to determine whether it will require “prior approval” of the siting and appearance of the development.
- 8.2 The local planning authority is required to give notice to the applicant within 56 days of the receipt of the application if it requires prior approval. If the local planning authority does consider it requires prior approval then it must proceed to approve or refuse the application within 56 days and notify the applicant within that time. There is no ability to extend this time limit by agreement or

otherwise and failure to act in the prescribed period will mean that the development will be deemed to have consent. [LD/20032013/W](#)

9. **Appraisal**

9.1 The key issues are: -

- Siting, appearance and neighbour amenities
- Health issues

Siting, appearance and neighbour amenities

9.2 The site already has an existing 15metre high monopole enclosing three antenna and associated equipment and housing and the proposal is for the installation of a 15metre high dual user monopole enclosing six antenna. The existing equipment cabinet is to remain. As a result, the monopole is slightly bulkier at the top as a result of the additional antenna. The location of the equipment is on the grass verge of Willenhall Road service road at its junction with East Park Way. The Interim Telecommunications Policy advises that sites which already have telecommunications equipment on them are classed as of the 'less sensitive' category. In considering this proposal, the nearest residential properties are approximately 17metres from the proposed development on East Park Way and is largely obscured from the equipment as a result of the tree screening along the grass verge on Willenhall Road. Furthermore, although the site is located fronting a main road, it is set against the backdrop of existing trees and vertical elements namely street lighting poles. As a result and taking into consideration the slim line design (albeit slightly bulkier at the top as a result of the additional antenna) of the proposed pole and that the proposal is replacing existing equipment and when viewed from any significant location, the telecommunications development would be seen in the context of many other vertical elements and against a backdrop of the trees it would not materially harm the character and appearance of the area.

9.3 The equipment is to be shared between two users therefore negating the need for a potential second mast in the vicinity. The inclusion of additional antenna within the monopole would have no serious impact on amenity.

9.4 Taking all these matters into consideration, including that the equipment is a replacement of an existing facility, the fact that the operators O2 and Vodafone are site sharing in accordance with government advice, the proposal is not considered to have an adverse impact on visual amenity or the locality. The proposals are considered to be in accordance with the requirements of UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

Health Issues

9.5 Unitary Development Plan policy EP20 'Telecommunications' states that "it is the view of Central Government that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission for Non-ionizing Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority in processing an application

for planning or prior approval, to consider further the health aspects and concerns about them”.

- 9.6 The application is supported by a certificate which shows compliance with ICNIRP. The proposal is therefore in accordance with UDP policy EP20 and it is considered that any perception of adverse effect on health which may be felt by local residents and other users could not form sound grounds for refusal in this instance.

10. Conclusion

- 10.1 The site is classed in the Council's Interim Telecommunications Policy to be in a 'less sensitive location' as a result of having similar equipment already on it. It is a site partly screened by trees and set amongst other vertical street elements. On balance therefore, taking all matters into consideration, including the fact that the operators are site sharing and the equipment is located on an established telecommunications site, the proposal is considered to be acceptable
- 10.2 The proposals accord with advice as set out in UDP policies D6, D7, D9, EP20, BCCS policies CSP4, ENV3 and the Council's Interim Telecommunications Policy.

11. Recommendation

- 11.1 That the Interim Strategic Director for Education and Enterprise be given delegated authority for prior approval of application 13/00263/TEL to be given, subject to standard conditions and no public objections raising new material planning considerations. (Neighbour notification time expires on 16 April 2013)

Case Officer : Mr Ragbir Sahota
Telephone No : 01902 555616
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 13/00263/TEL

Location	Land At, Willenhall Road Service Road Corner Of East Park Way, Wolverhampton		
Plan Scale (approx)	1:625	National Grid Reference	SJ 393501 298372
Plan Printed	26.03.2013	Application Site Area	13m ²