

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 18/03/19

**gan Clive Nield BSc(Hon), CEng,
MICE, MCIWEM, C.WEM**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 04.04.2019

Appeal Decision

Site visit made on 18/03/19

**by Clive Nield BSc(Hon), CEng, MICE,
MCIWEM, C.WEM**

an Inspector appointed by the Welsh Ministers

Date: 04.04.2019

Appeal Ref: APP/H6955/A/18/3218951

Site address: Land at rear of the east bound footway, Holt Street, Wrexham

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by EE Ltd against the decision of Wrexham County Borough Council.
- The application Ref P2018/0748, dated 3 September 2018, was refused by notice dated 8 October 2018.
- The development proposed is the installation of a 20-metre-high ground-based Phase 5 slim streetworks monopole with GRP shroud, 3 x multi-band antennas, 2 x 0.3 m dia. transmission dishes, 3 x ground-based equipment cabinets and other ancillary equipment and cabling.

Decision

1. The appeal is allowed and planning permission is granted for the installation of a 20 metre high ground-based Phase 5 slim streetworks monopole with GRP shroud, 3 x multi-band antennas, 2 x 0.3 m dia. transmission dishes, 3 x ground-based equipment cabinets and other ancillary equipment and cabling on land at the rear of the east bound footway, Holt Street, Wrexham, in accordance with the terms of the application, Ref P2018/0748, dated 3 September 2018, subject to the following conditions:

- 1) The development shall begin not later than five years from the date of this decision.

Reason: To comply with Section 91(3) of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following approved plans: 101 Revision A; 200 Revision A; and 300 Revision A.

Reason: To comply with Section 71ZA(2) of the Town and Country Planning Act 1990.

Main Issue

2. The main issue in this case is the effect of the proposed development on the visual amenity of the area.

Reasons

3. There is no dispute that a new telecommunications installation is needed in the area to replace part of the coverage provided by the present installation on the top of the

nearby police headquarters building, which is to be demolished in the near future. The Council also accepts that the Appellant has given sufficient consideration to the use of alternative sites, including opportunities to share sites and facilities with other operators. However, it is of the opinion that the discordant visual impact of such a tall mast in this location would outweigh the need for area coverage.

4. The appeal site is situated at the rear of a wide section of footway alongside a major roundabout. In addition to the road network, the area is characterised by substantial modern public, commercial and retail premises and by tall street lights and other highway furniture. The most significant nearby building is the Waterworld leisure centre on the land behind the proposed mast location. That is a high building of striking ultra-modern design which includes an even taller chimney.
5. Even though it is far enough away to be seen as a separate structure, in many views it would provide a backdrop for the proposed mast, which would not appear out of keeping. Whilst the leisure centre would not feature in views of the mast from other directions, the wider commercial character of other nearby buildings, the openness of the area and the vertical lines of the regular streetlights (even though they would be much shorter) would also provide a reasonable street-scene for such a mast. As a result, my conclusion is that any visual harm would be limited and that, so far as possible, the general principles of Policy GDP1 of the Wrexham Unitary Development Plan would be met, i.e. to ensure that the scale, design and layout would accord with the character of the site.
6. National policy advises that electronic communication is essential for people and businesses and that significant weight should be given to the need to provide appropriate infrastructure. In this case, there is no dispute that the appraisal of options required by Policy CLF8 of the Unitary Development Plan has been carried out, and I consider the proposed siting of the development would minimise its impact on the townscape as required by Policy CLF8.
7. The Community Council has raised concerns about possible health impacts from the radio frequency emissions, particularly as there is a school nearby. However, the scheme would comply with the ICNIRP public exposure guidelines, thus safeguarding all members of the public against any adverse effects of such emissions.
8. On balance, my conclusion is that the proposed mast and associated equipment would not have an unacceptably adverse visual effect on the street-scene and that its limited effect would be substantially outweighed by the need for the telecommunications infrastructure. I conclude that the appeal should be allowed.
9. In reaching my conclusions, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Clive Nield

Inspector