DELEGATED REPORT

FILE REFERENCE: DET/2016/0016

MAIN ISSUES:
Compliance with GPDO Permitted Development (PD) Schedule 2 Part 16; consideration of PD Part 16 condition A.3 (3) "whether the prior approval of the authority will be required as to the siting and appearance of the development"; implications for the setting of a Listed Building being with 50m of the Yew Tree Inn, a Grade II Listed Building – consider DC2 and NPPF section 12; trees and proximity to the public road – visual amenity.

PUBLICITY/REPRESENTATIONS:
No representations received.

CASE OFFICER ASSESSMENT:

The proposal is found to conform to the criteria for consideration under GPDO Schedule 2 Permitted Development Part 16 – a ground-mounted mast up to 15m. The terms of the PD right at Condition A.3 (3) require a submission to the LPA for "a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development".

Due to the proximity of a Grade II Listed Building within 50m of the site it is considered that the application does need to be determined with regard to the impact on the setting of the Listed Building – policy DC2 and NPPF chapter 12 relate. The location is also in the open countryside and the visual impact on landscape character should therefore also be considered – policies SS6c and DC3.

The siting has been discussed with the applicant and a revised plan has been submitted showing that the applicant controls in their ownership a strip of land between the road edge and the southern boundary of the operational site area. This is advantageous in that it increases the scope for tree planting and the retention of an existing tree. Question has been raised as to whether the mast could be re-positioned to the easternmost end of the site but the applicant states that this would require a taller mast possibly to 25m. The applicant has however confirmed by written submission that the exact siting will be varied by moving the mast slightly to the east within the existing kerbed area of the proposed location and this will go some way to making further space available for some planting between the mast base and the perimeter of the site ownership. There is an existing tree between the road and the mast base and this will remain and give some screening of the mast from the road as the tree is comparable in height to the mast.

As a simple columnar lattice work mast, relatively short at 15m in height which will be seen in association with an existing operational site and which will be partially screened from public view by intervening tree cover the proposal is considered acceptable in terms of its landscape character and visual impacts. The mast would be part screened by trees in views where it could be seen in association with the Listed Building. The beneficial trees are mostly outside the operational site however and not in the applicant's control. However it seems likely that they have been planted to screen the existing site by and for the benefit of the adjoining land owners and as such likely to be retained.

Assessment of the impact on the setting of the Listed Building therefore needs to consider the potential uncertainty in the permanence of the trees. Either way it is considered that there would be a harmful impact but that either way (with or without trees intervening) this would amount to less than substantial harm to the setting of the Listed Building. Paragraph 134 of the

NPPF therefore applies. In considering whether the harm is acceptable it should be weighed against the public benefits of the proposal. It is clear from the submissions that the proposal is very important to the maintenance of electricity supplies to more than 2,300 properties and businesses in the area. For this reason notwithstanding the harm to the setting of the Listed Building, given that this is less than substantial harm and that it is capable of being partially mitigated by tree cover and given the strong public benefits of the development in maintaining electricity supplies to a high standard for a large number of residential and business properties the proposal is considered acceptable.

RECOMMENDATION:

Approve

Date 12/05/2016 **Signed** _____

Arne Swithenbank

DEVELOPMENT CONTROL MANAGER COMMENTS:

Date **Signed** _____