
Appeal Decision

Site visit made on 16 May 2017

by Nick Fagan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 May 2017

Appeal Ref: APP/R3325/W/17/3169477

12 Cottage Corner, Main Street, Ilton, Ilminster, Somerset TA19 9ER

- 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 Mr Peter Evans against the decision of South Somerset District Council.
 - The application Ref 16/04404/FUL, dated 4 October 2016, was refused by notice dated 25 November 2016.
 - The development proposed is a shortwave amateur radio mast and antenna.
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Decision

1. The appeal is allowed and planning permission is granted for a shortwave amateur radio mast and antenna at 12 Cottage Corner, Main Street, Ilton, Ilminster, Somerset TA19 9ER in accordance with the terms of the application, Ref 16/04404/FUL, dated 4 October 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings/photographs: 1:1250 Site Location Plan; 1:500 Block Plan – 10/PE/001; Detailed Plan & Elevation – 10/PE/002; Rear elevations – 10/PE/003; Photo of Mast to be used – Picture No 1; Photo of Antenna to be used – Picture No 2
 - 3) The mast shall be painted white/cream to match the colour of the rear of the house within 2 months of its installation.
 - 4) The existing 9m aerial in the rear garden shall be permanently removed prior to the installation of the new mast and antenna.
 - 5) The new rotary antenna shall be lowered when not in use to the height shown on approved drawing 10/PE/002.
 - 6) The mast and antenna hereby approved shall be dismantled and permanently removed from the site when it is redundant or has not been used for over one year.

Main Issues

2. The main issues are the effect of the proposed mast and antenna on the character and appearance of the area and on neighbours' living conditions, particularly in relation to outlook.
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Reasons

3. The present 9m high aerial/antenna is a slim pole supported by thin guy wires situated in approximately the centre of the back garden of this terraced house. The proposed mast would be 12.3m high when fully extended with an 8m wide antenna atop it. It would be sited at the edge of the existing rear patio 3.5m from the rear of the house.
4. I acknowledge the Council's quoted comments from a previously dismissed appeal for a 15m high versatower antenna as set out in its officer report¹. However, I have seen no details of that proposal. The mast on this proposal would be lower. The antenna, which would not overhang neighbours' roofs contrary to the Council's assertions, would be retracted when not in use so the structure would be generally no higher than 7.2m from the ground, about the same height as the ridge of the dwelling's roof. The appellant is content for a condition to specify such a requirement – Condition 5 above.
5. Although the rotary antenna is fairly wide at 8m it would only have thin fibreglass spreaders and even thinner wire elements as shown on Picture No 2 and as such it would have little impact on the outlook from neighbours' windows when in use.
6. Additionally, any direct impact on adjoining neighbours at Nos 11 and 13 would be minimised by the mast and antenna being sited considerably nearer to the rear of No 12 than the existing aerial is.
7. The appellant is agreeable to painting the mast a specific colour and I have specified in Condition 3 above that the colour shall match that of the rear of the house.
8. For these reasons the proposed mast and antenna would not be an incongruous feature in this residential area and would not significantly harm neighbours' living conditions. In particular it would not seriously harm the outlook from their windows.
9. It would comply with Policy EQ2 of the South Somerset Local Plan 2006-2026 because it would respect the local context and would not significantly harm the residential amenity of neighbouring properties. As such it would also comply with LP Policy SD1, which requires development to be sustainable.
10. Additional conditions requested by the Council are also appropriate: Condition 2 listing the approved drawings and photos is necessary for reasons of precision; Condition 4 requiring the prior removal of the existing aerial in order to avoid undue proliferation of such structures in the interests of the appearance of the area; and Condition 6 requiring the removal of the equipment hereby granted once it becomes redundant or unused for the same reason.
11. Subject to the above conditions and for the reasons given above I conclude that the appeal should be allowed.

Nick Fagan

INSPECTOR

¹ LPA Ref 04/00696/FUL