SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H09/0511/93 Received:06-JUL-93 Type:FULL

Name: Mr S Smith
58 Fairfields
Holbeach
Spalding
Lincs PE12 7JE

Agent: John L McFall Env. Services
Consultant
Ballafayle, Copse Hill Lane
Homer, Much Wenlock
Shropshire TF13 6NJ

Description: Erection of slimline, tubular, retractable mast to support amateur radio aerials
Location : 58 Fairfields Holbeach
Spalding Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

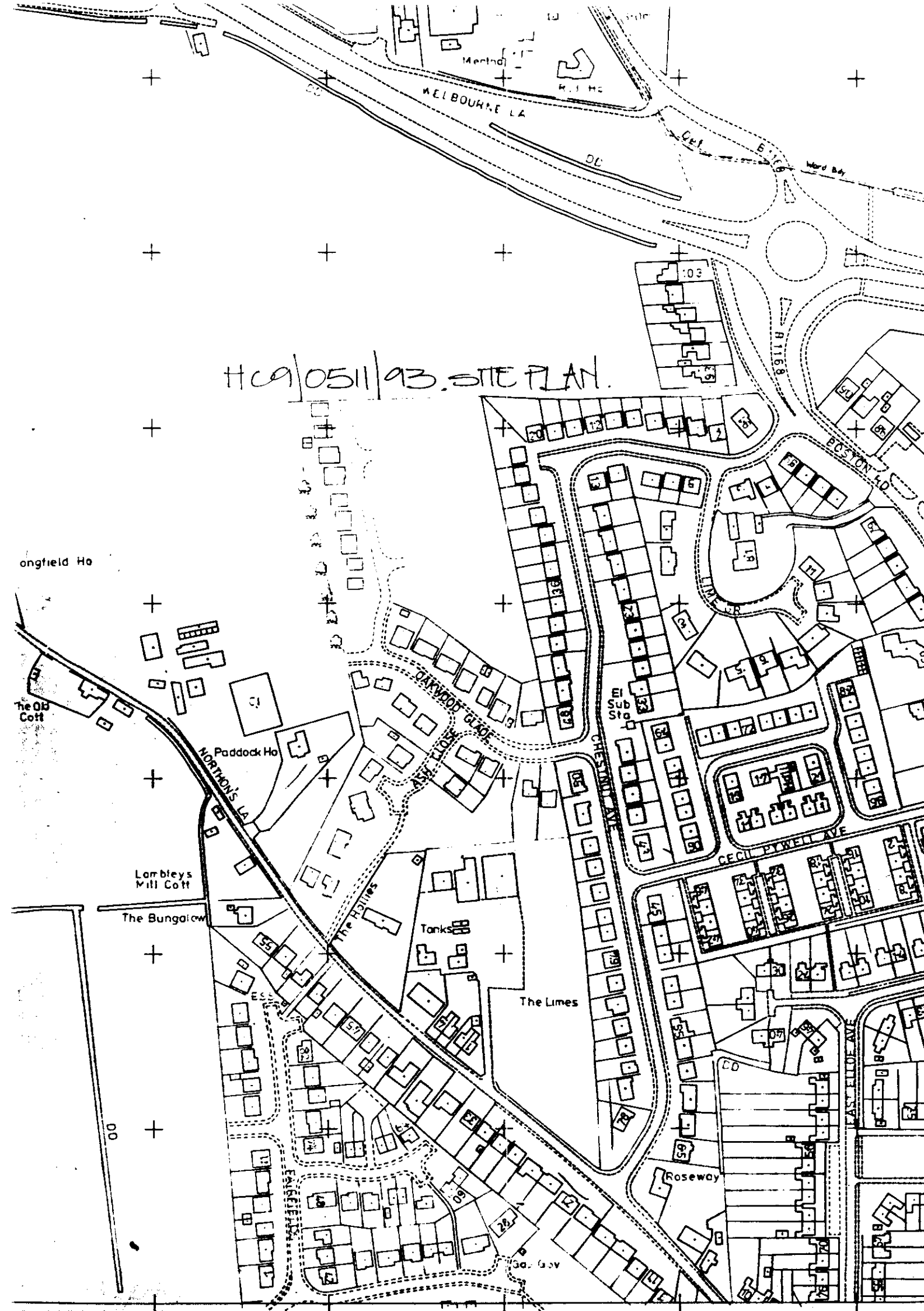
1 In the opinion of the Local Planning Authority the proposed radio mast and aerials would be detrimental to the visual amenity of the locality and the residential amenities of neighbouring properties. Furthermore, the proposal, if permitted, would set an undesirable precedent and could lead to further applications of a similar nature which would then be hard to resist.

Director of Planning and Building Control Services
23-SEP-93 H09/0511/93

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)


H/09/0511/93. SITE PLAN.
MELBOURNE LA
A1168
BOSTON HO
ongfield Ho
The Old Cott
Paddock Ho
NORTHON'S LA
OAKWOOD GROVE
ASH CLOSE
CHESTNUT AVE
TIME DR
El Sub Sta
CECIL PYWELL AVE
Lambleys Mill Cott
The Bungalow
The Holmes
Tanks
The Limes
Roseway
EASTFIELD AVE

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H09/0511/93

Date Registered 02 JUN 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR S SMITH
58 FAIRFIELDS
HOLBEACH
NR. SPALDING
LINGS. PE12 7JE

Tel. No.

NAME AND ADDRESS OF AGENT

(If form completed by agent) Environmental
John L McFall : Services Consultant
Ballafayle, Copse Hill Lane,
Homer, Much Wenlock,
Shropshire TF13 6NJ

Tel. No. 0952-727357

(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

As for applicant

OFFICE COPY

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

Erection of slimline, tubular, retractable mast, to support amateur radio aerials; as Amateur Radio is experimental aerial design varies

Please complete

I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of NONE... If you consider no fee is payable include a written explanation instead.

Signed. John L McFall Date 27th May 1993 Previous application No. H09/0470/93

Please tick **one** box and answer the extra questions under that section.

2. **TYPE OF APPLICATION**

This is a **full** application for change of use and/or new building works (✓) ✓ ➡ **Now complete Parts 3, 4 and 5 and an Ownership Certificates**

or This is an **outline** application ⬇

Please state Site Area (Hectares)

Please tick **any** box where you are including details which you wish to be considered as part of this application.

Siting ☐ Design ☐ External Appearance ☐

Means of Access ☐ Landscaping ☐

Now complete Parts 3 and 5 and an Ownership Certificate.

or This is a **reserved matters** application. ⬇

A. Please state Reference Number of outline permission.
B. Please state which reserved matters are dealt with in this application.
Now complete Part 4 only

or This is an application for **renewal** of temporary permission or **continuation** without complying with planning condition. ⬇

A. Please state reference Number of previous permission
B. Please state Condition Number referred to
Now complete an Ownership Certificate

or This is an application for **modification** of a condition on a planning permission which has not yet been implemented. ⬇

A. Please state Reference Number of pervious permission
B. Please state Condition Number referred to
C. Please state variation required
Now complete an Ownership Certificate.

TYPE OF DEVELOPMENT

3. A. Please state whether the proposal involves:- (Tick one or more boxes)

		If so, how many:
(i) New Dwellings		
(ii) Other new building(s) Erection of amateur radio mast	✓	
(iii) Alterations or extension		
(iv) Change of use		

4. A. Please state site area (in all cases) — hectares
B. If building works are proposed, please state extra floor space to be created: N/A — sq. metres
C. Please state size of any new structure:- (a) max. height: 35 ft (extended) / 21 ft (retracted) — metres
~~(b) max. length:~~ — metres
~~(c) max. width:~~ — metres
D. Please state type and colour of materials for facing external walls: N/A
E. Please state type and colour of roofing materials. N/A
F. Has a survey of the site been undertaken? State Yes or No N/A

MAST
Lower section 3½" × 3½"
Top section – Tubular 2" OD

5. GENERAL INFORMATION Please complete each section

EXISTING USES
Please state existing or, if vacant, the last use(s) of site.
Domestic garden

ACCESS TO ROADS (VEHICULAR AND PEDESTRIAN) *Please tick one box*

A. There will be **no** new access to a public road and **no** alteration to any existing access to a public road	✓	
or		
B. There will be a new or altered access to a public road		➡ If so, name of road: Will there be— Individual access(es) / New estate road
C. What provision will be made for garages or parking within the site?		

TREES Please tick **one** box

A. The proposal does **not** involve the felling of any trees	✓	
B. The proposal does involve the felling of one or more trees		➡ If so, please show details on plans.

DRAINAGE Please complete

A. Please state how surface water will be disposed of
B. For estate developments, please state how highway surface water will be disposed of
C. Please state whether a land drain will be affected
D. Foul sewerage will be disposed of to:

N/A

Mains sewer ☐ Cesspool ☐ Septic tank ☐

PLEASE COMPLETE IN ALL CASES

	State Yes or No	
The proposal is in connection with agriculture	NO	➡ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public right of way	NO	
The proposal is known to affect contaminated or filled land	NO	
The proposal is for industrial, warehousing, offices, shopping or similar commercial purposes.	NO	➡ If so, **please complete Part 7**
In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If yes, please give date sent.		➡ Date: Consultee(s)
Is this application related to a previous submission?	YES	➡ Application No. H69/0370/92

6. ANY OTHER INFORMATION Please add any details you wish in support of your application.

Continue on separate sheet if necessary. See enclosed notes

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

1. **APPLICANT'S INTEREST** Please state interest in site (e.g. owner, prosp. purchaser) (Please remember to indicate on the location plan any other land under your control).	OWNER

2. OWNERSHIP OF THE SITE

This certificate is to make sure that the owners of land are aware of applications made on it.

If the applicant is the **sole owner of the whole site,** complete **Certificate A.**
In **any other case** (i.e. if the applicant is a prospective purchaser, or a tenant, or a joint owner, or the sole owner of only part of the site) then you must give notice to all other owners, and complete **Certificate B.** (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

Certificate A Nobody except the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

Signed ..... (~~Applicant~~ / Agent) Date 27/5/93

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.
Owner's Name:
Address of owner at which notice was served: State Date notice served:

Signed ..... (Applicant / Agent) Date .....

3. AGRICULTURAL HOLDINGS CERTIFICATE

If the land is not in agricultural use complete Certificate 1.
If the land is agricultural, but farmed by the owner and there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

Certificate 1 None of the land to which the application relates is or is part of any agricultural holding.

Signed ..... (~~Applicant~~ / Agent) Date 27/5/93

Certificate 2 The applicant has given the required notice to every other person who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates.
Tenant's Name:
Address of tenant at which notice was served: State Date notice served:

Signed ..... (Applicant / Agent) Date .....

ADMIN RECORD SHEET

Initial

Submitted Fee £ NIL

Receipt No

Date first Rec'd 02 JUN 1993

Registration

Reference H09|0511|93

Cross-Ref

Date 03-JUN-93 DAB

Validation

TYPE FULL

Site area
No of dwellings
Floorspace

Earlier permission – Ref:
New/Redevelop/Use/Ext/Alt/Works

Description to be recorded: Erection of slimline, tubular, retractable mast to support amateur radio aerials

Invalid: Site plans ☐ Certificate ☐ | Fee ☐ Fee (not free) ☐ | Inaccurate ☐ Incomplete ☐ Unclear ☐

Fees: Correct fee £ NIL | Nil fee ☐ Discounted ☐ | Previous app – ref: Type of app Reason:

Additional £ Refund £ | Receipt No Voucher No | Date Date

Information

Index sheet 150 OS Plots
Grid ref 5 393703395050

Ward J Parish HOLBEACH

Inside IBD YES Inside LP area NO

Constraints:

CA Cons Area ☐
LB Listed – Grade: ☐
ARC Archaeology ☐
AM Ancient Mon ☐
SSI Special Int ☐

TR Rural ☐
BP TR proposed 67m ☐
LC Level Cross ☐
FP Footpath ☐
TPO Tree Pres ☐

Hazards –
HAZ Site ☐
AIR Safeguard ☐
LIN Elect ☐
PIP Pipe ☐
CON Waste/contamin ☐

Linked to site Ref
Linked to property Ref 032132

Dist Bound ☐
Other: ☐

Planning Records:
Earlier apps

See attached files

B Reg Records:
Already submitted – Ref:
Request needed
Requested

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by
Date 4.

Site Notice posted by
Date
Expiry 27/7/93.

Individual Resident Notices required:

Addresses to be sent to –	Addresses delivered to –
✓54, 56, 60, 62 FAIRFIELDS	
✓30 - 36 (EVENS) FAIRFIELDS	
✓ P.L. ELY, HIGH ROAD WITHOUDE	
✓ 3, 28, FAIRFIELDS	done 27/7
✓ MR S HOYES - THE COMPLEX CHURCHGATE WHAPLODE.	

Case Officer Conclusions

RECOMMENDATION/DECISION

NON-DETERMINATION

Permitted Dev (or equiv) .....
Non Development (or equiv) .....
Non Response after Direction .....

Senior Officer confirmed .....

Withdrawn .....

DELEGATED DECISION

Case Officer Recommendation

Approve (or equiv)
Refuse (or equiv)

Signed ..... Date.....

COMMITTEE

Confirmed as agenda .....

SUB-COMMITTEE

Confirmed as agenda ✓ 16/9

DPBCS AUTHORISED

Decision Issue confirmed .....

Notes:

☐ Disabled
☐ Prev conditions
☐ Amended plans –
Dwg no:
Received:

Conditions/Reasons: (cont overleaf)

DC INSTRUCTION SHEET

APPLICATION REF: H09/0511/93

Directions

Art 7 (Outlines)

☐ RM checklist

	Sit	Des	Ext	Acc	Land
Previous					
Current					
Required					

Reg 4 Scale drawing.... Highway S/W.... Agric appraisal....

☐ Non Std

Precise details: A DRAWING TO A SUITABLE SCALE SHOWING THE FREE STANDING TUBULAR MAST IN ELEVATION AND ITS RELATIONSHIP TO THE APPLICANTS DWELLING. THE PLAN SHOULD ALSO SHOW THE TOTALITY OF AERIALS TO BE ATTACHED TO THE MAST.

Direction authorised by Senior Officer..... Date..15/6

Revalidation after Direction

Information satisfactory Signed..... Date..20/7

Valid date: 6/7

Amended description

Reconsultations:

All.....

Specified:

Unsatisfactory – Further direction:

Signed.....

Senior Off.....

Precise details:

Additional Consultation/Publicity Required

	Publicity: >>	Consultations:	
Departure	.....	County	.....
Setting of LB	.....	E Heritage	.....
Public Right of Way	.....	Societies	..... G ROW
Discretionary	.....		

Extra Consultations:

WP Note –
G Group available
G* Group essential (longer expiry)

Transport	D/Transp A15	..... G* T15	
TRA	D/Transp A18	.....	
	B Rail	.....	
Environment/	Env Services	.....	
Drainage	NRA	.....	
WAT	IDB	.....	
	Env Assess	..... G ENV	Specify:
Conservation	LB Demolish	..... G* DEM	
LB	Archaeology	..... G ARC	Specify:
	Eng Heritage	.....	
	Consultant	.....	Order No:
	Other	.....	Specify:
Hazards	HSC Group	..... G* HAZ	
	Specific	.....	Specify:
Other PLA		.....	Specify:

Case Officer JOHN BLACKLOCK

Senior Officer Confirmed ..... Date..... Recorded DC....

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department.
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H09/0511/93

Applicant: Mr S Smith
58 Fairfields
Holbeach
Spalding
Lincs PE12 7JE

Agent: John L McFall Env. Servic
Consultant
Ballafayle, Copse Hill La
Homer, Much Wenlock
Shropshire TF13 6NJ

Description: Erection of slimline, tubular, retractable mast to support amateur radio aerials
Location: 58 Fairfields Holbeach
Spalding Lincs

Type: FULL

29-SEP-93

Dear Sir/Madam,

PLANNING APPLICATION

The above application for planning permission has now been considered, together with your comments, and it has been decided that permission should be refused in this case.

The full reasons for refusal can be seen by inspecting the register of applications which is available in this Department.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

N J J Fawcett + F W & J H Fawcett.
3 Fairfields
Holbeach
Spalding
Lincs PE12 7JE

Mrs E Bird
32 Fairfields

Mr H D Blake
62 Fairfields
Holbeach

P P & Mrs C Johnson
Holly House
25 Fairfields

Mr D Jackson
30 Fairfields

Application No
- H09/0511/93

OBJECTION

Mr H D Blake
62 Fairfields
Holbeach
Spalding
Lincs
PE12 7JE

IFW

S.H.D.C. PLANNING DEPT.
RECEIVED
17 AUG 1993 SD

12. 8 1993.

Dear Sir/

With regard to the above.
Application by M/s S. Smith may I voice
my concern that in a recession such as
we have gone through that tax payers
Money can be used to further one
mans obsession to turn a nice rectangular
area into a second (Total Bank) and
to create an Eye Sore,

Lets look at the facts
he already has an Dish that measures
Some where in the region of 7' dia together
with three more Disks of various sizes and
a Skyline mast that is approaching
6' feet above the House Roof, level, He.
has repeatedly applied for Planning Permission
in the last incident to the D.T.I he
had a face hearing and his Plans

were rejected out of hand, I can only
hope that this appeal will be dealt
with in a like manner and a permanent
stop put to the waste of Public Money and
Man power that could be put to a *
better use.

I am in disgust at this

Continuous Saga.

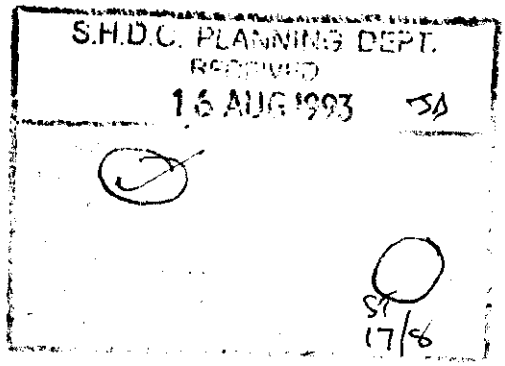
Yours Sincerely.

F. O Blake

OBJECTION

Holly House
28 Fairfields
Holbeach
Spalding
Lincs. PE12 7JE

16 August 1993



Mr J Blacklock
Planning Department
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs.

Dear Sir

RE: PLANNING APPLICATION NO. H09/0511/93
MR S SMITH, 58 FAIRFIELDS, HOLBEACH

We refer to the above application and would like our objections taken into account when it is considered by the Planning Committee.

Our objections are more or less the same as they were for his original application for a 40 ft trellis mast (ref. no. H09/0470/92) which was turned down under appeal, by the Secretary of State.

Although this mast is only tubular it still extends to a height of 35 ft which, with an assortment of aerials fitted on top, would look out of character in our small residential estate. We also consider that it would be visibly obtrusive from our rear garden and house windows in either the extended or retracted state as we are positioned such that we can clearly see the side of Mr Smiths house where the mast and aerials would be.

Yours faithfully

P.P. & MRS C JOHNSON

S.H.D.C. PLANNING DEPT.
RECEIVED
13 AUG 1993 56
Acknowledge of
DPO NHM
DoPO
JC ADP
Action by .....
Discuss with .....
Copy to .....
File Nos.
Acknowledge YES/NO
by SJ
date 13/8

F. & J. Fawcett
3, Fairfields
Holbeach
Spalding PE12 7JE

11th August 1993

South Holland Planning and Building Control Services,
Spalding.

for the attention of Mr. J. Blacklock.

Dear Sir,

Re Planning Application no. H09/0511/93

It is noted from details of the above that the revised plans have been produced with a view to "overcoming previous problems".

Admitedly the aerial will not be overbearingly obvious to our particular property. Be that as it may, it cannot be denied that it will continue to be an eyesore to a number of properties as well as being an unwelcome intrusion to this small development in general - this without really knowing what exactly will eventually appear on top of the mast.

In any event it must be observed that the conveyances for all plots in Fairfields contain the following clause:

5) No act, matter or thing shall be done, committed or placed upon the said property which may be or grow to be offensive or detrimental to the quiet enjoyment of the neighbourhood.

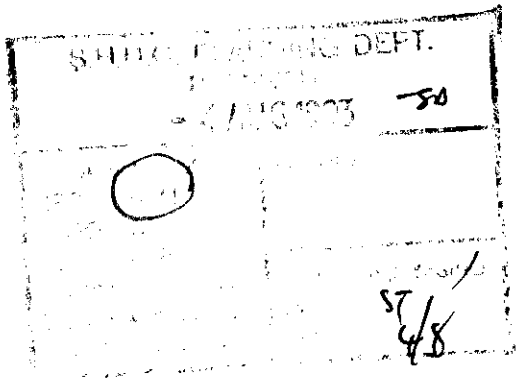
Having been all through this matter three times before, surely reference to this clause alone must close the matter once and for all.

Yours faithfully,

F.W.Fawcett
J.H.Fawcett

32. fairfields
Holbeach.
Lincs.
PE12 7JG.

OBJECTION



Application. no. H09/0511/93.

Dear Mr. Blacklock/Mr. Smith.

I am protesting in the strongest fashion about this latest application for yet another Mast or whatever. It appears to be an anual event, and one which is becoming a tiresome bore.

Had I, when I first decided to move here wished to live next door to a radio station I would have stayed in Cheshire and bought a property next to Jodrell Bank.

This is a totally inappropriate enviroment for such a structure and will be seen not only by immediate residents but by everyone who uses the public footpath alongside Smithes residence. I could say more, but I've said it all before and needless to say My Comments still stand.

Yours faithfully.

E. Bird

30 Fairfields,
Holbeach, Lincs PE 12 7 JE.

Brian Smith
Director of Planning & Building Control Services
Council Office
Priory Road
Spalding.

OBJECTION

Reference Application No. H09/0511/93. Mr. S. Smith, 58 Fairfields.

2nd August, 1993.

Dear Sirs,

I have received your letter dated 27th July concerning the above application for the erection of slimline, tubular retractable mast at the premises of my neighbour Mr. Smith.

I have to advise that I continue to opose an mast of the size proposed on the same basis as has been reported in my earlier letters on previous applications for similar erections.

The report prepared by Mr. A.P. Watson of the Planning Inspectorate dated 2nd April, 1993 in paragraphs 6 and 7 repeats very adequately my own objections and I can find nothing from the current application which would cause me to change my original feelings on this mast.

Accordingly I ask that the appliations be refused.

Yours faithfully

Donald Jackson.

S.H.D.C. PLANNING DEPT.
- 5 AUG 1993

SF
3/8

32. fairfields
Holbeach.
29. 6. 93.
0406 22175.

OBJECTION

S.H.D.C. PLANNING DEPT.
RECEIVED
- 2 JUL 1993

File 1870/9.

Dear Mr. Blacklock,

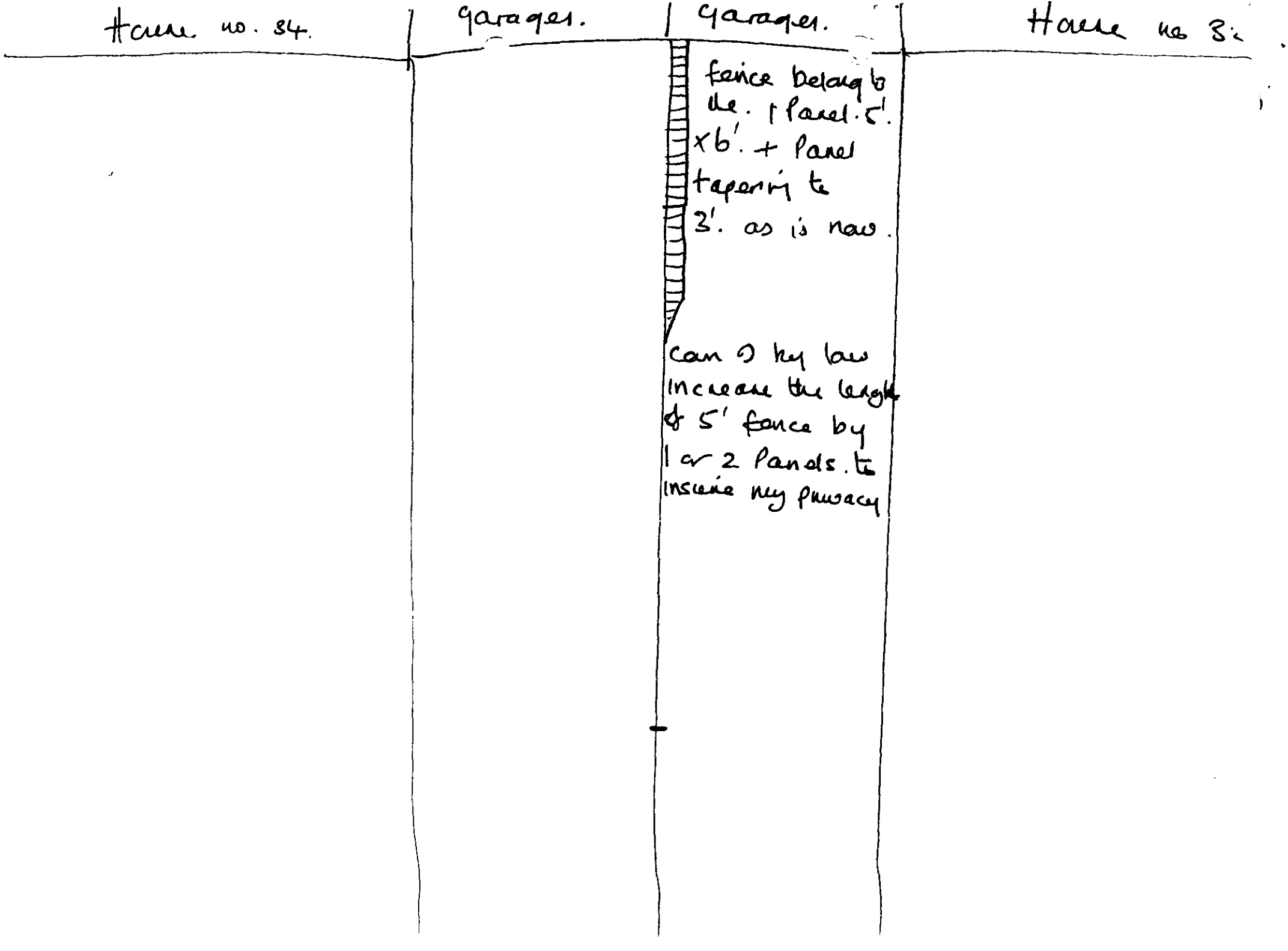
I am writing in connection with two things, one the Application made by Mr. S. Smith of 58 fairfields, needless to say I am astounded at his arrogance, and horrified to think everyone has to go through this farce yet again. Will it ever end. Mr & Mrs. J. Fennett of 3 fairfields are spearheading our cause yet again, but suggested I write to you as it concerns me rather more than them visually. I hope you will keep me informed as things progress.

The second query I have to ask you concerns my desire to erect one 5' x 6' long fence panel in fencing already on my drive, apparently I may need planning permission for this. I need one panel at least to afford me some privicy when puting my car, unloading it ect. due to verbal abuse from my next door neighbour. perhaps you will advise me on this, as I need to erect this reasonably quickley.

Many thanks. Yours faithfully.

Elizabeth Bird.

ENC.


House no. 84.
garages.
garages.
House no 8:
fence belong to the. 1 Panel. 5'. x6'. + Panel tapering to 3'. as is now.
can I by law increase the height of 5' fence by 1 or 2 Panels. to increase my privacy

F. & J. FAWCETT

3. Fairfields
Holbeach
Spalding
Lincolnshire
PE12 7JE
Tel. 0406 26848

S.H.D.C. PLANNING DEPT.
RECEIVED
25 JUN 1993

OBJECTION

24th June 1993

South Holland Planning and Building Control Services
Dear Sirs,

Re S.Smith, 58 Fairfields Aerial Planning Application

We, and the rest of the residents of Fairfields were dismayed when we opened the Spalding Guardian to find another application is in the pipeline.

Having gone through two local enquiries plus the Dept of the Environment Enquiry, we thought the matter had been laid to rest. We must say that those of us that attended the D of E Enquiry were impressed at the way the case against the erection was put and as discovered, your department has requested more detailed information. It would seem that previous background is being taken into account because it has been said that he is determined to have it.

Goodness knows what costs have and will be accumulated over this matter - it is to be hoped that Smith will be bearing some it and not the whole lot for the account of the long suffering South Holland Community Charge payers.

Yours sincerely,

Frank W.Fawcett

APPLICATION REFERENCE: H09/0511/93 DATE RECEIVED: 06-JUL-93

TYPE: Full

DESCRIPTION: Erection of slimline, tubular, retractable mast to support amateur radio aerials

LOCATION: 58 Fairfields, Holbeach.

APPLICANT: Mr S Smith AGENT: John L McFall Env. Services

REASON FOR COMMITTEE CONSIDERATION

Recommendation of refusal: Objections received.

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 14 SEP 1993

RECOMMENDATION

Refuse Permission.

In the opinion of the Local Planning Authority the proposed radio mast and aerials would be detrimental to the visual amenity of the locality and the residential amenities of neighbouring properties. Furthermore, the proposal, if permitted, would set an undesirable precedent and could lead to further applications of a similar nature which would then be hard to resist.

COMMENTS

1 Members will recall that in June 1992 planning permission was refused for the erection of a lattice mast for the attachment of radio amateur aerials on visual residential amenity grounds and precedent (application no H09/0420/92 refers). A subsequent appeal was dismissed.

2 The current application differs from that previously submitted in that it provides for the erection of a steel tubular mast but it also stipulates the maximum number of aerials which would be attached to it - an important aesthetic consideration.

3 Given the totality of the structure proposed - mast and aerials - it is considered there is still an objection on planning grounds.

4 Circular 16/85 (Telecommunications Development) makes it clear that in most situations radio interference is not relevant to the determination of planning applications for radio masts and that the matter is better controlled under other legislation.

5 It is considered that there is not sufficient reason to refuse the application on the basis of the safety of the mast.

REPRESENTATIONS

Parish Council: Supported. Considered acceptable.

Public: 5 objections from neighbouring householders on the following grounds: -

- Totally incongruous feature in residential area.
- Overbearing effect.
- Risk of radio and television interference.
- Determination of the proposal involves an unacceptable waste of public money bearing in mind the time expended on the previous applications and appeal.
- Risk to public safety.
- Contrary to convenant relating to properties on the estate precluding any unneighbourly activity on such properties.

Applicant: (Summarised)

- Overall height of mast 35 feet when extended (21 feet retracted height).
- A maximum of 5 TV/UHF aerials would be affixed to the top of the mast.
- The mast would be wall mounted.
- With amateur radio activity there is an extensive range of aerials available and technological/experimental requirements may require replacement/ variation. It is assumed that within the number specified (5) such changes could be undertaken.
- Due allowance should be made, in planning terms, for amateur radio operators to pursue their hobby.
- Determination of the proposal should be made with the consideration in mind that a mobile mast could be erected without planning permission.

AN SMITH Dip TP MRTPI
...tor of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

H09/0511/93
FULL

Applicant: Mr S Smith
Tel:

Agent: John L McFall Env. Service
0952 727357

Description: Erection of slimline, tubular, retractable mast to support amateur radio aerials
Location: 58 Fairfields
Holbeach
Spalding
Lincs

Valid date: 06-JUL-93
Target dates:
To case officer 13-JUL-93
Inspected by 20-JUL-93
Extra contacts 27-JUL-93
Report if not clear by 10-AUG-93

Terminal date: 31-AUG-93
Target Committee: 25-AUG-93
Report deadline: 11-AUG-93

Case Officer:
J BLACKLOCK

DEVELOPMENT/CONSTRAINTS

Size:
Category: Misc works
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Mrs E Bird	02-JUL-93	23-JUL-93
N J J Fawcett	25-JUN-93	16-JUL-93
Owner/Occupier, 54 Fairfields	27-JUL-93	17-AUG-93
Owner/Occupier, 56 Fairfields	27-JUL-93	17-AUG-93
Owner/Occupier, 60 Fairfields	27-JUL-93	17-AUG-93
Owner/Occupier, 62 Fairfields	27-JUL-93	17-AUG-93
P L Ely (Cont) Ltd, High Rd, Whaplode	27-JUL-93	17-AUG-93
Owner/Occupier, 3 Fairfields	27-JUL-93	17-AUG-93
Owner/Occupier, 28 Fairfields	27-JUL-93	17-AUG-93
Mr S Hoyes, The Complex, Churchgate, Whaplode	27-JUL-93	17-AUG-93
The Occupier, 30 Fairfields	27-JUL-93	17-AUG-93
The Occupier, 32 Fairfields	27-JUL-93	17-AUG-93
The Occupier, 34 Fairfields	27-JUL-93	17-AUG-93
The Occupier, 36 Fairfields	27-JUL-93	17-AUG-93
Site/Press Advert MIN	27-JUL-93	17-AUG-93
Clerk to Holbeach PC 0406 26739	22-JUL-93	05-AUG-93
Cllr N I Capes 0406 23830	22-JUL-93	29-JUL-93

L.C.C - No objections 28/7/93

AN SMITH Dip TP MRTPI
ctor of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

H09/0511/93

FULL

Applicant: Mr S Smith
Tel:

Agent: John L McFall Env. Service
0952 727357

Description: Erection of slimline, tubular, retractable mast to support amateur radio aerials
Location: 58 Fairfields
Holbeach
Spalding
Lincs

Valid date:	06-JUL-93	Terminal date:	31-AUG-93
Target dates:		Target Committee:	25-AUG-93
To case officer	13-JUL-93	Report deadline:	11-AUG-93
Inspected by	20-JUL-93		
Extra contacts	27-JUL-93	Case Officer:	
Report if not clear by	10-AUG-93	J BLACKLOCK	

DEVELOPMENT/CONSTRAINTS

Size:
Category: Misc works
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Mrs E Bird	02-JUL-93	23-JUL-93
N J J Fawcett	25-JUN-93	16-JUL-93
Site/Press Advert MIN	27-JUL-93	17-AUG-93
Clerk to Holbeach PC 0406 26739	22-JUL-93	05-AUG-93
Cllr N I Capes 0406 23830	22-JUL-93	29-JUL-93
Cllr T G M Tyler 0406 22285	22-JUL-93	29-JUL-93
Cllr D S Venni	22-JUL-93	29-JUL-93

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: Director of Planning and Building Control Services

TO: Director of Administration

REF: JB/LAB/H09/0470/92
H09/0511/93

REF:

DATE: 29 July 1993

SUBJECT: Appeal : Mr S Smith.

I refer to the letter from the Department of Environment dated 26 July 1993 and enclosures concerning the above.

The Smith's comments are largely irrelevant to his claim for costs for what is at issue is the Authority's approach with respect to the application the subject of his appeal and the appeal itself and not his current application.

As to the alleged difference in approach with regard to No 54 Willesby Road, Spalding, I append notes of a recent meeting with Mr Smith when this very issue was discussed.

With regard to the Holbeach Tyres premises, the question of an unauthorised aerial is still being pursued.

For your information (and that of the the Department of Environment) Mr Smith's current application has only just been accepted as valid : much time has been spend extracting required application details from him.

N R Midlen
Principal Planning Officer
Development Control

Enc

AN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H09/0511/93

Applicant: Mr S Smith
58 Fairfields
Holbeach
Spalding
Lincs PE12 7JE

Agent: John L McFall Env. Services
Consultant
Ballafayle, Copse Hill Lane
Homer, Much Wenlock
Shropshire TF13 6NJU

Description: Erection of slimline, tubular, retractable mast to support amateur radio aerials

Location: 58 Fairfields Holbeach
Spalding Lincs

Type: FULL

Date received: 06-JUL-93

22-JUL-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

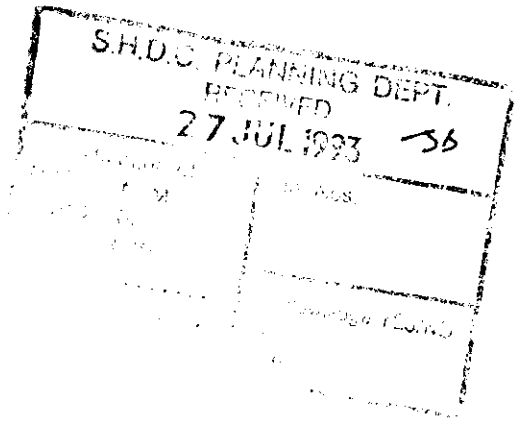
I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 05-AUG-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is J BLACKLOCK

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Holbeach PC
Parish Council Office
2 Spalding Road, Holbeach
Spalding, Lincs

FOR PARISH COUNCIL USE ONLY

Comments: Supported Considered acceptable



Signed: N V Judge

PLANNING APPLICATION

Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLE 12B

Notice is hereby given that Mr S Smith
is applying to the Council for planning permission for the following:

Reference No: H09/0511/93
Description: Erection of slimline, tubular, retractable mast to support amateur radio aerials
Location: 58 Fairfields
Holbeach
Spalding
Lincs

Members of the Public may inspect copies of the application, plans and any other documents submitted with it at the Department of Planning and Building Control Services, Council Offices, Priory Road, Spalding, during normal office hours for a period of 21 days beginning with the date shown below.
Any observations should be sent to me, quoting the above reference number also within 21 days of the date shown below.

B Smith
Director of Planning and Building Control Services

Date of Notice:

SOUTH HOLLAND DISTRICT COUNCIL

ENVIRONMENTAL SERVICES CONSULTANT

JOHN L. McFALL

MEMBER OF
INSTITUTION OF WATER & ENVIRONMENTAL MANAGEMENT
ROYAL SOCIETY OF HEALTH
TOWN & COUNTRY PLANNING ASSOCIATION
RADIO SOCIETY OF GREAT BRITAIN

BALLAFAYLE
COPSE HILL LANE
HOMER
MUCH WENLOCK
SHROPSHIRE TF13 6NJ
TEL: MUCH WENLOCK (0952) 727357

7th July 1993

Application No. NS/93/00199
Attention of Mr Bloomfield

Dear Sir

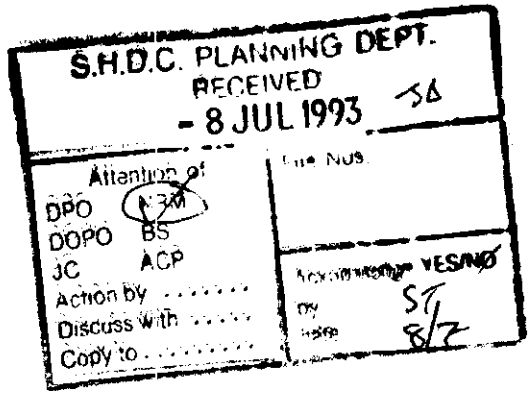
AMATEUR RADIO MAST
66, Fairfields, Melbourn.

I refer to the telephone conversation with Mr Bloomfield this morning and confirm that the lowest height of the mast shown on the plans submitted is 50' when extended, with [illegible] with mast head equipment.

Yours faithfully,

John L. McFall

Mr P Smith
Director of Planning
Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE



7/7/93

Telecon with Mr McFall

Mr McFall ~~said~~ ~~recon~~ ~~right~~ of ~~way~~ was 35' — confirming letter to follow.

JL

[illegible]AN SMITH Dip TP MRTPI
tor of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H09/0511/93

Applicant: Mr S Smith
58 Fairfields
Holbeach
Spalding
Lincs PE12 7JE

Agent: John L McFall Env. Servic
Consultant
Ballafayle, Copse Hill La
Homer, Much Wenlock
Shropshire TF13 6NJU

Description: Erection of slimline, tubular, retractable mast to support amateur radio aerials

Location: 58 Fairfields
Holbeach
Spalding
Lincs

SOUTH HOLLAND D.C.
PLAN DEPT
06 JUL 1993
REF Valid

Type: FULL

Date received: 02-JUN-93

15-JUN-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

Your submission for the above has been received, but I regret that it cannot be dealt with as it stands.

The Council is of the opinion that the information contained in the application is insufficient to enable the Authority to determine it, and under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, you are therefore requested to supply the following:

A drawing to a suitable scale showing the free standing tubular mast in elevation and its relationship to the applicants dwelling. The plan should also show the totality of aerials to be attached to the mast.

Please return one copy of this letter with your reply to enable me to deal with this application without further delay.
If you have been sent a Notice of Receipt, the time limit for determining the application should be ignored as this will have to be recalculated from the date when I receive the above. If you wish to contact the department at any time, the officer dealing with the application at present is J BLACKLOCK

Yours faithfully

Principal Planning Officer

ENVIRONMENTAL SERVICES CONSULTANT

JOHN L. McFALL

MEMBER OF
INSTITUTION OF WATER & ENVIRONMENTAL MANAGEMENT
ROYAL SOCIETY OF HEALTH
TOWN & COUNTRY PLANNING ASSOCIATION
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BALLAFAYLE
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HOMER
MUCH WENLOCK
SHROPSHIRE TF13 6NJ
TEL: MUCH WENLOCK (0952) 727357

SOUTH HOLLAND D...
PLAN DEPT
06 JUL 93
REF... 911/93

15th July 1993

Application No. H07/0911/90

Dear Sir

TOWN AND COUNTRY PLANNING ACTS
Amateur radio mast - Mr S Smith, 55 Fairfields, Holbeach.

I refer to the recent visit to your office by Mr Smith with sectional plans, which he made in order to save time. I now understand your reluctance to discuss the situation with Mr Smith having regard to the recent appeal which applies when an appeal is lodged.

I enclose four sets of plans as amended showing a wall mounted mast of a standard type, which on planning grounds should present no difficulty in being approved, since much more substantial masts usually receive approval from planning authorities. Mr Smith has no objection to the proposed mast being either pole mounted, since to the wall of the house, as wall mounted as shown in the plans now submitted.

So far as public are concerned it should be appreciated that with amateur radio activity, there is a very extensive range of aerials available for use by radio amateurs and amateurs often design their own, since amateur radio by its very nature, is an experimental form of hobby technology.

To comply with your requirements, Mr Smith has given me details of the aerials he intends to install on his mast and to experiment with, providing there is no appreciable increase in either the width or the overall size of the initial aerials that he will ask you to grant for planning permission at any time he wishes to replace or exchange with other types. In support of this request, I enclose a copy of a planning appeal decision against Worcester City Council, where I represented the radio amateur which removed a condition that aerials could not be changed without planning permission being applied for. The amateur concerned has found it necessary to his most pleasure operation and to make use of them within the size limit defined by the Inspector.

It is usually not appreciated that amateur receiving aerials, that are for transmitting purposes must have accurate matching characteristics with the transmitter in use and as mentioned in technical evidence at the Worcester Inquiry, there are numerous frequency bands made available for amateur radio use, including h.f. short wave bands, VHF frequency bands, UHF frequencies bands and a number of microwave frequencies. It is rather frustrating and unreasonable for an amateur, particularly one with Mr Smith's technical ability, not to be able to engage freely in any branch of amateur radio without undue restrictions.

I trust you will now be able to grant approval to Mr Smith's amended application without further delay.

Yours faithfully

Mr B Smith
Director of Planning
Council Offices
Priory Road
Spalding
Lincolnshire

Planning Inspectorate
Department of the Environment
Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ
Telex 449321

Direct Line 0272-218927
Switchboard 0272-218811
GTN 1374

Mr J L McFall
Ballafayle
Copse Hill Lane
Homer
Much Wenlock
Shropshire
TF13 6NJ

SOUTH HOLLAND D.C.
PLAN DEPT
06 JUL 1993
REF ...S.11.93...

Your referenc

Our reference
T/APP/D1835/A/89/126335/P5

Date
20 NOV

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR D HARRISON
APPLICATION NO. P88C0703

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the Worcester City Council to refuse an application for planning permission under section 32 of the Town and Country Planning Act 1971 for the retention of an amateur radio mast and various forms of aerials for transmitting and receiving at 1 Winnipeg Close, Worcester, without complying with condition no.2 which was imposed by the City Council upon the grant of planning permission for the mast and aerials on 23 September 1986 (reference P86C0436). I conducted a hearing into this appeal on 7 November 1989.

2. The condition referred to states;-

> "The permission hereby granted shall relate to the size and style of aerial shown on the submitted plans and does not authorise any additions, alterations or alternative aerials without further application to the City Council".

3. From my consideration of the representations made at the hearing and in writing, and having inspected the site, its surroundings, and other radio transmitting and receiving masts and aerials in Worcester, I am of the opinion that the principal issues in this case are, firstly, does the existing condition serve a useful planning purpose, and if so, secondly, is this condition unduly onerous.

4. The existing mast and aerials are located in the relatively small rear garden of no.1 Winnipeg Close, immediately adjacent to a single storey rear extension, and some 2m from the flank/rear boundary between the appeal premises and nos.92, 94 and 96 Columbia Drive. The existing mast is capable of being extended to some 14m in height, but when not in use may be lowered to

som n; the upper parts of the mast, to which the several and various aerials are attached, is capable of being rotated through 360 degrees.

5. I understand that the nature of the appellant's hobby as an amateur radio enthusiast involves experimenting with a range of different types and sizes of aerials, and necessitates changing aerials on a regular basis in order to operate on the many frequency bands that have been allocated for use by radio 'hams'. Whilst the physical dimensions of the existing mast, and in particular that length available above the rotation motor, restricts the number of aerials that may be affixed to the mast at any one time, I am, nevertheless, satisfied that the uncontrolled proliferation of aerials in the heart of a residential area would be unduly detrimental to visual and residential amenities. In my view the existing condition thus serves a useful planning purpose by effecting control over the number of aerials attached to the mast. I thus turn to consider the second issue.

6. I am concerned that the existing condition is unduly onerous in that it prohibits any additions, alterations or alternative aerials without application to the City Council. Full imposition of the condition would require the submission of an application for planning permission to the City Council for all experimental alterations to the aerial complex or the temporary addition of an aerial for use in connection with a specific waveband; furthermore, the requisite fee for each application would, I feel, place an unreasonable financial burden upon the appellant. I have thus sought to devise an alternative condition which, whilst effecting control over the number and size of aerials affixed to the mast at any one time, affords the appellant sufficient flexibility for the reasonable enjoyment of his hobby.

7. At the hearing it was agreed that a maximum of four aerials would be acceptable to the appellant and the local planning authority. Having regard to the location of the existing mast, and the potential overall visual impact of this number of aerials, I am likewise satisfied that a maximum of four aerials is appropriate in this case. The size of any aerial that may be attached to the mast is clearly restricted by the proximity of the existing dwelling and the need to avoid excessive overhang of the neighbour's garden; furthermore, an assurance was given at the hearing that no additional aerial would exceed the size of the largest aerial presently attached to the mast approved as part of the original structure in 1986.

8. Following careful consideration I have concluded that effective control can be exercised by a condition which specifies the maximum projection of any aerial from the mast in a horizontal plane (thereby permitting an aerial with a maximum 'width' of twice the projection dimension), and the maximum extension in the vertical and horizontal planes of any element that forms part of the aerial. A condition of this nature will permit an infinite variety of configurations of aerials within individual spacial 'envelopes' which may, in turn, be positioned relative to each other in an ad hoc pattern. Any aerial that did not fall within these maximum dimensions would require specific planning consent.

9. The local planning authority have indicated that they prefer a continuous form of control to be exercised over aerials that are affixed to the mast by means of an exchange of letters between the appellant and themselves. However, in light of my decision to impose a maximum size restriction upon individual aerials, I am not persuaded that further control is necessary, given that individual aerials will either comply or fail to comply with the size restriction. I thus propose to exclude the need for

consent to be sought for all alteration or additions to the structure, and thereby properly place upon the appellant the onus of applying for permission should he wish to exceed the permitted number of aerials or erect an aerial that exceeds the maximum permitted dimensions, and upon the local planning authority to effect planning and enforcement control if or when necessary.

10. I have considered all other matters raised at the hearing and in writing, together with the advice contained in Government Circulars and Planning Policy Guidance Notes where relevant to this appeal. However they do not alter or outweigh the conclusions I have reached on the planning merits of this case.

11. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the retention of an amateur radio mast and various forms of aerials for transmitting and receiving at 1 Winnipeg Close, Worcester, without complying with condition no.2 which was imposed upon the grant of planning permission for the mast and aerials on 23 September 1986 by the Worcester City Council (reference P86C0436), in accordance with the terms of the application no. P88C0703 dated 6 October 1988 and the plans submitted therewith, subject to the following condition:

> 1. No more than four aerials shall be attached to the mast at any time. With the exception of any vertical pole or whip aerial that may be attached to the top of the mast and which shall not exceed 3m in length, no individual aerial shall project more than 2m in a horizontal plane from the mast, and no element forming part of the aerial shall extend more than 4m in a horizontal plane or 3m in a vertical plane.

12. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Sir
Your obedient Servant

P I Beasley ~~DipTP DipLD~~ MRTPI
Inspector

SOUTH HOLLAND DISTRICT COUNCIL

PLANNING & BUILDING CONTROL DEPARTMENT

BRIAN SMITH
Dip TP MRTPI
Director of Planning and Building Control Services

Mr J McFall
Environmental Services Consultant
Ballafayle
Copse Hill Lane
Homer
Much Wenlock
Shropshire TF13 6NT

Your Contact: Mr J Blacklock
Our Ref: JB/JP/H09/0511/93
Your Ref:
Date: 6 July, 1993

Dear Sir

Planning Application ref: H09/0511/93
Erection of Retractable Mast - 58 Fairfields, Holbeach - Mr S Smith

With reference to the above, I write to advise you that on 24 June, 1993 my officer, Mr J Blacklock discussed the application with Mr S Smith and his father.

Mr Smith clearly indicated that the discussions were taking place with your agreement as his agent and that if any further information was to be provided, it would be done through you as the agent.

My officer expanded upon the Authority's requirements with regard to further information and gave an explanation as to why there was a need for such information.

The meeting concluded on the basis of:-

(a) The applicants assurances that he understood what were the requirements of the Authority in terms of additional information.

(b) The applicants undertaking to consider these requirements and advise this Authority whether in fact, the required information would be provided.

In the light of (b), could you please let me know at the earliest opportunity whether your client now intends providing the required information and when it will be forthcoming.

Yours faithfully

N R MIDLEN
Principal Planning Officer
(Development Control)

Planning & Building
Control Department
Council Offices,
Priory Road,
Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

22/6/93.

Telecon with Mr McFall.

Explained reason for Brag K. request:-

(a) more detailed information - need to inform public, re noise

(b) Information provided inadequate with regard to mast.

Agent said plan (A) was sufficient to show visual relationship of mast to house - but eventually conceded it didn't: plan referred to was not mounted mast. didn't show enough elevations.

Agent also said that client happy involved high degree of experimentation & therefore number of periods couldn't be anticipated.

I countered by saying his client had expert knowledge: he must know what he wanted.

Agreed:-

(a) elevational drawings to be submitted showing mast in relation to house.

(b) Number and type of periods to be shown.

Explained:-

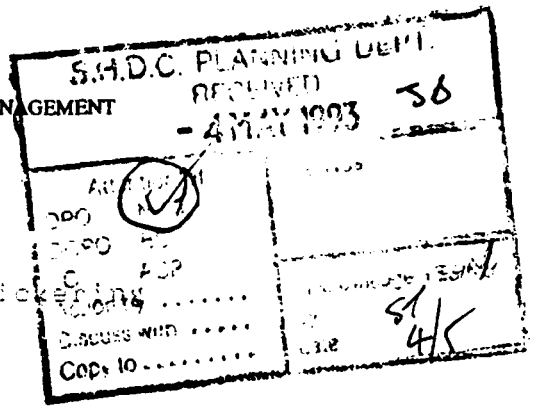
(a) merely a need for information at this stage: no issues were being prejudged.

(b) No desire to be pedantic or obstructive - merely exact and specific.

ENVIRONMENTAL SERVICES CONSULTANT

JOHN L. McFALL

MEMBER OF
INSTITUTION OF WATER & ENVIRONMENTAL MANAGEMENT
ROYAL SOCIETY OF HEALTH
TOWN & COUNTRY PLANNING ASSOCIATION
RADIO SOCIETY OF GREAT BRITAIN



BALLAFAYLE
COPSE HILL LANE
HOMER
MUCH WENLOCK
SHROPSHIRE TF13 6NJ
TEL: MUCH WENLOCK (0952) 727357

30th April 1993

Application Forms
Sent 6/5

Attention of Mr A C Pickering

Dear Mr Pickering

PLANNING PERMISSION - AMATEUR RADIO MAST
Mr S Smith, 58, Fairfields Holbeach

I have been instructed by Mr Smith to deal with his planning problems concerned with his efforts to obtain planning permission for a suitable mast regularly, used by radio amateurs, and which is usually approved by planning authorities throughout this country and in fact world wide.

Since the planning system does not allow for any further representations to be made regarding the mast which was not approved on appeal I propose to submit an application on behalf of Mr Smith for what is usually referred to as a "slimline mast" which should be acceptable, even to your planning authority.

I shall be obliged therefore if you will send a set of planning application forms so that a revised planning application may be made. As the revised application is made within 12 months of the refusal of planning permission, then no further fee is payable.

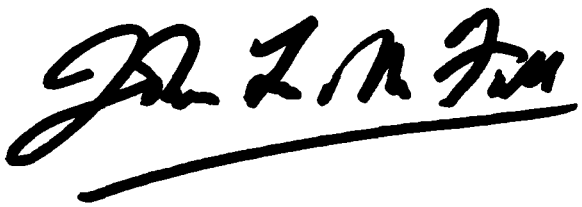
I must point out that refusal of planning permission for what is a regularly approved amateur radio mast, does not prevent Mr Smith continuing with his activity as a radio amateur, it only makes it more difficult to operate without the possibility of causing problems. It is still possible for Mr Smith to continue with his activity by placing transmitting aerials within the limits of permitted development, which does not require planning permission, but which can give rise to problems caused by the unsuitable positioning of the aerials.

The recommendations in the amateur radio licence recommends that transmitting aerials should be placed where the possibility of "breakthrough" problems is less likely to arise. To comply with this recommendation requires technical knowledge and due allowance has to be made within the planning system for this requirement. The positioning of transmitting aerials near to domestic receiving aerials results in the rejection capabilities of the domestic equipment being severely tested and in some cases may be there may be insufficient immunity to prevent the mateur radio signals being rejected.

If planning permission is refused for this revised application and a further appeal is not successful, which is unlikely, then the answer may be a mobile mast, which on appeal has been proved not come within the definition of development as defined in the Town and Country Planning Acts.

On receipt of the forms I will submit a revised application for planning permission which I hope will be approved. If you require any further information please let me know.

Yours sincerely



Mr B Smith MRTPI
Director of Planning
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs. PE11 2XE

ENVIRONMENTAL SERVICES CONSULTANT

JOHN L. McFALL

MEMBER OF
INSTITUTION OF WATER & ENVIRONMENTAL MANAGEMENT
ROYAL SOCIETY OF HEALTH
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BALLAFAYLE
COPSE HILL LANE
HOMER
MUCH WENLOCK
SHROPSHIRE TF13 6NJ
TEL: MUCH WENLOCK (0952) 727357

APPLICATION FORPLANNING PERMISSION
Mr S Smith, 58, Fairfields, Holbeach.
27th May 1993

This application should be exempt from the payment of a fee as it is made within 12 monthe of the refusal of permission in respect of an asscciated planning application.

This application is a revised one following the unsuccessful appeal against refusal of planning permission in respect of a lattice type amateur radio mast - a type regularly approved by many planning authorities, in this country and world wide.

The present application represents an attempt to satisfy the requirements of the planning authority without unduly frustrating the legitimate and internationally approved activity of Amateur Radio; an activity which is essentially home based but which may be used to a limited extent in a mobile situation.

In order to ensure the adequate reception and transmission of radio signals, for which only limited power levels are permitted by the terms of the Amateur Radio Licence, it is essential that aerials are placed in suitable positions, generally in an elevated position.

The positioning of aerials is particularly important in order to avoid the posibility of "Breakthrough" occurring into neighbouring domestic equipment which may not have the necessary rejection capability to perfectly lawful radio signals generated nearby.

Items of domestic equipment usually have sufficient built-in rejection capability so that transmitted signals are not accepted by the equipment. Due to the varying ability of such equipment, such as radios, TV 's, telephones, and electronic apparatus of various kinds, to reject lawful radio signals, and the massive expansion in the use of such equipment, it has been necessary to introduce legislation which requires such equipment, both home produced and imported, to comply with specified rejection capabilities. There will be in use for a number of years equipment which does not comply with this requirement and which may cause problems for the owner.

Unless a radio amateur is permitted to place aerials in suitable positions, which his training and experience indicates, then suitable conditions for satisfactory communications may not be established also the possibility of "breakthrough" problems arising to neighbouring equipment will be increased.

The radio amateur is ADVISED by the terms of his licence to place transmitting aerials where the possibility of "breakthrough" problems arising are reduced. The radio amateur is REQUIRED by his licence not to transmit any harmonics or other spurious emissions other than the operating frequency in use and never to allow any transmission on frequencies outside the frequency bands allocated to radio amateurs. If a radio amateur does not comply with the terms of his licence he can be closed down by the Radio Interference Service and if the offence continues he can have his licence terminated.

Unfortunately, little advice is given to planning officers, by government Circulars or otherwise, on the requirements of the activity, and planning officers do not usually have the required technical knowledge which would permit them to give adequate advice to their planning committees. It is the lack of knowledge which has prompted the Department of the Environment to advise that planning authorities should not become involved in attempting to investigate problems of interference. To appreciate the difference between "interference" caused by a radio amateur comntravening the terms of his licence, and "breakthrough" caused by neighbouring domestic equipment receiving signals it should not receive, because of unsatisfactory immunity capability, generally requires technical knowledge for the problem to be understood.

Planning Authorities appear to be blind to the fact that they have no power to stop the radio amateur transmitting perfectly lawful radio signals. Where there may be problems with "breakthrough" occurring, matters can only be intensified by refusing permission to erect aerials in positions where the possibilty of such problems arising would be considerably reduced. Where planning permission is unreasonably refused, the radio amateur can operate with aerials in positions allowed within the limits of permitted development, which are generally not the best positions for ensuring satisfactory transmission of radio signals, of for reducing the possibility of "breakthrough" problems arising. It must be clearly understood that the planning authority has no power to obstruct the use of his home premises for amateur radio.

I understand that advice has already been given to your authority by the Radio Interference Service who confirm that my client is operating within the terms of his licence. I also understand that you are seeking additional technical advice, no doubt in the hope that you will obtain advice which you wish to hear. However I am sure that if the advice is obtained from a qualified source, that the opinions of the Radio Interference Service and my own opinion, will be substantiated. It does seem to be a complete waste of a local authority's resources when the Radio Interference Service, which is under an obligation to offer unbiased expert advice, is not accepted and other advice is sought.

It is rather ironic that my client, who is also professionally engaged in electronics and has done so much to assist radio amateurs, should have so much difficulty in obtaining planning permission, when the majority of radio amateurs, who are not so deeply involved in the hobby, readily receive planning permission to erect masts and aerials.

The aerial shown in the plans is typical of amateur radio aerials. It is difficult to define the exact design of aerial to be used since with transmitting aerials the design depends upon the frequency band to be used. For example- there are now 14 shortwave bands which are available for use by radio amateurs plus VHF, UHF and microwave bands, each requiring different aerials. In some cases, where the bands are harmonically related, it is possible to use one aerial fr 2 or 3. bands. Technical knowledge is required in order to appreciate this point. For this reason, the application refers to the mast supporting amateur radio aerials of which the one illustrated is typical.

The planning application submitted herewith is an attempt to provide a suitable type of mast, which could be considered to be less obtrusive as it is much reduced in cross section. The mast can be obtained in the post mounted form, or wall mounted which you may consider benefits from the screening effect of the gable wall, to which it would be attached. My client's application is for the post mounted type of mast but approval for a wall mounted type would be accepted if this would avoid the necessity of proceeding to appeal, with which I would no doubt be involved.

In assisting my client, I wish to state that I was for a time the Chairman of the RSGB planning advisory panel and for the last eleven years have been dealing with planning appeals for radio amateurs countrywide, but more often negotiating with planning authorities on behalf of radio amateurs. The RSGB also has a panel of professional experts, who are also radio amateurs and who offer advice to radio amateurs regarding breakthrough and interference problems:- the Committee has recently published a large manual dealing with interference problems generally and regular meetings are held with the Radio Interference Service to deal with problems. If the letter sent by a party to the last appeal had been sent to the Chairman of the appropriate advisory Committee instead of to the General Manager, who is not a radio amateur and has not been in the position very long, more appropriate reply would have been received. I have already taken up this incident with the Society.

So far as the visual aspect is concerned, lattice masts are regularly approved by planning authorities throughout the country or approved on appeal. I have been involved in numerous appeals in respect of lattice masts, which have been successful, I consider it reasonable therefore to expect that the present application for a slimline mast should be approved. If you require any further information, copies of previous planning appeal decisions, of which I have many to hand, or would like me to visit your office to impart any further advice or information please let me know. In accordance with the general advice given by the DOE I am sure you will agree that every effort should be made to avoid another appeal, however the need for approval in this case is governed not by the intrinsic value of the mast but by the removal of the restriction which prevents my client engaging in freely in this rewarding international activity and to make proper use of his expensive amateur radio equipment.

The application sunmitted shows:-

A A wall mounted mast: Lower part 3 1/2 inches square
Top part 2 inch tube

B Rear elevation of the house showing position for a post mounted mast.
Also an illustration showing the side wall of the house where the mast would be placed or to which it would be attached.

C This shows a similar type of post mounted mast in use at a similar class of property. In my client's case the mast would be at the side of the house.

D An illustration showing a wall mounted mast attached to the side wall of a bungalow.

E Location plans.

John L. McFall

Environmental Services Consultant

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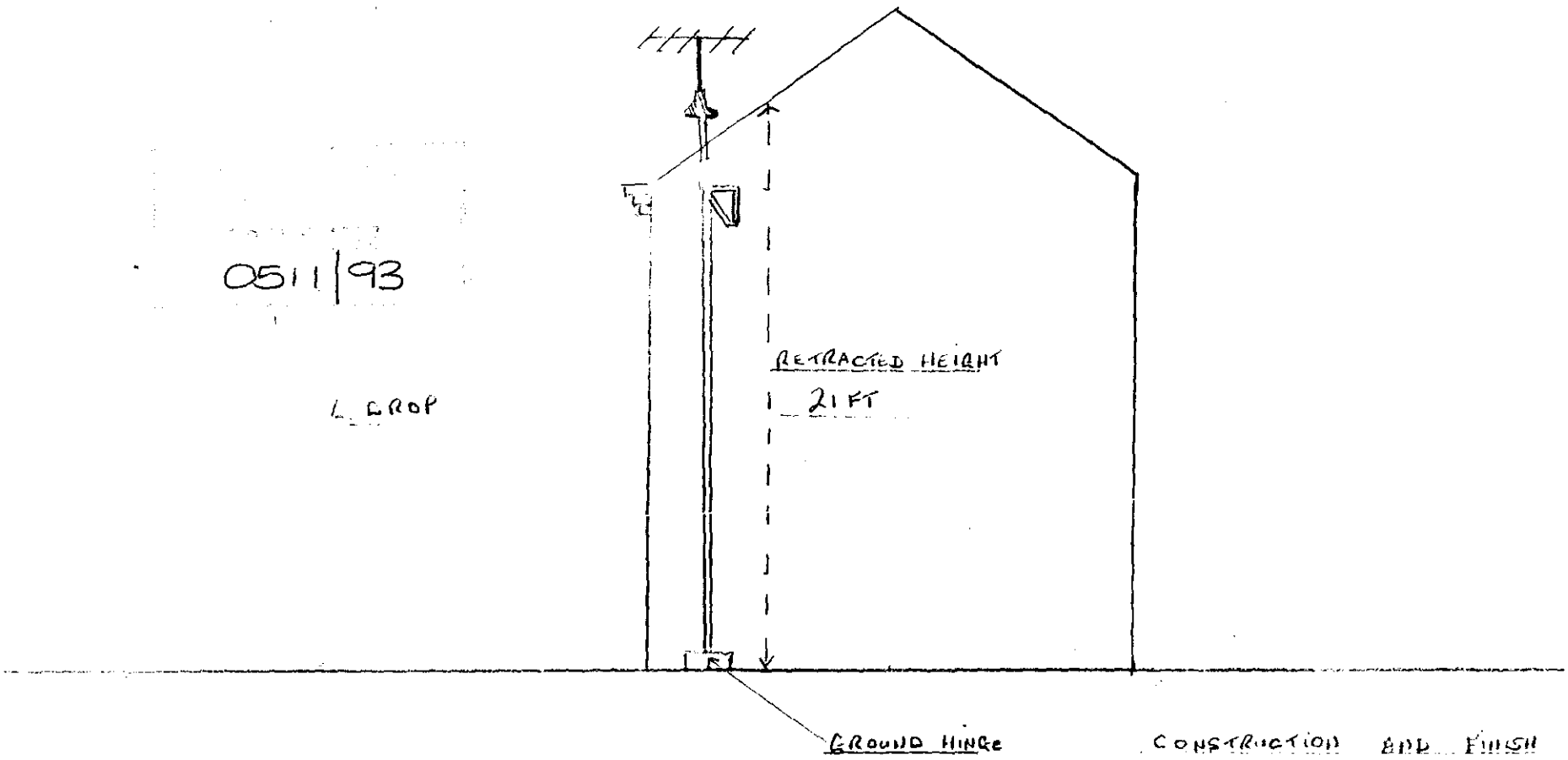
John L. McFall

Environmental Services Consultant

DETAILS WALL MOUNTED TENNAMAST 35FT

0511/93

L. GROP

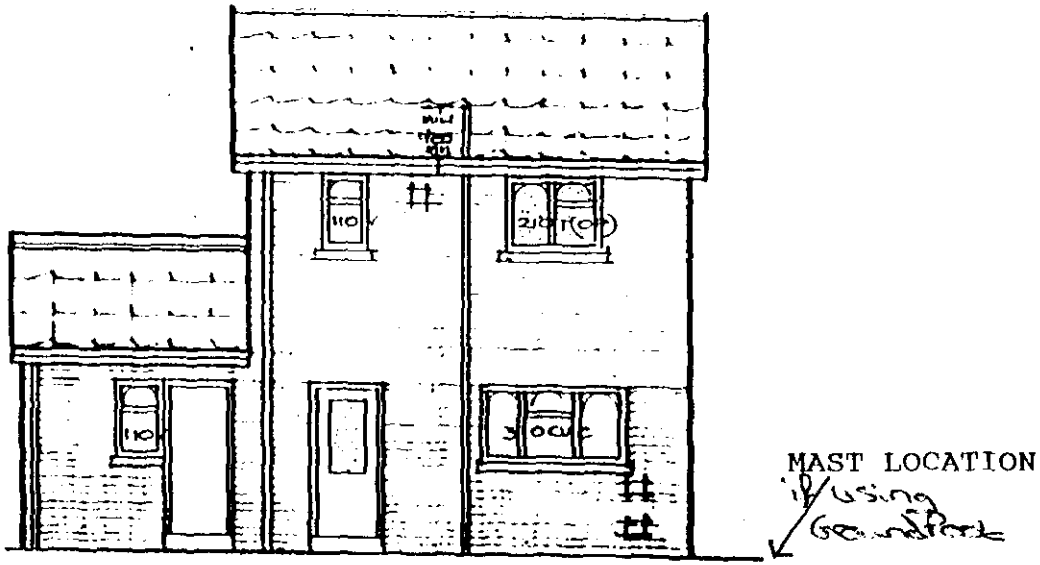


CONSTRUCTION AND FINISH
GALVANISED

MAST 3½" X 3½"

UPPER SECTION CIRCULAR HOLLOW
TUBE 2" OD.

(A)



REAR ELEVATION

Photo of my Property showing side wall to which Tenna mast would be attached if wall mounted.

0511/93

(B)

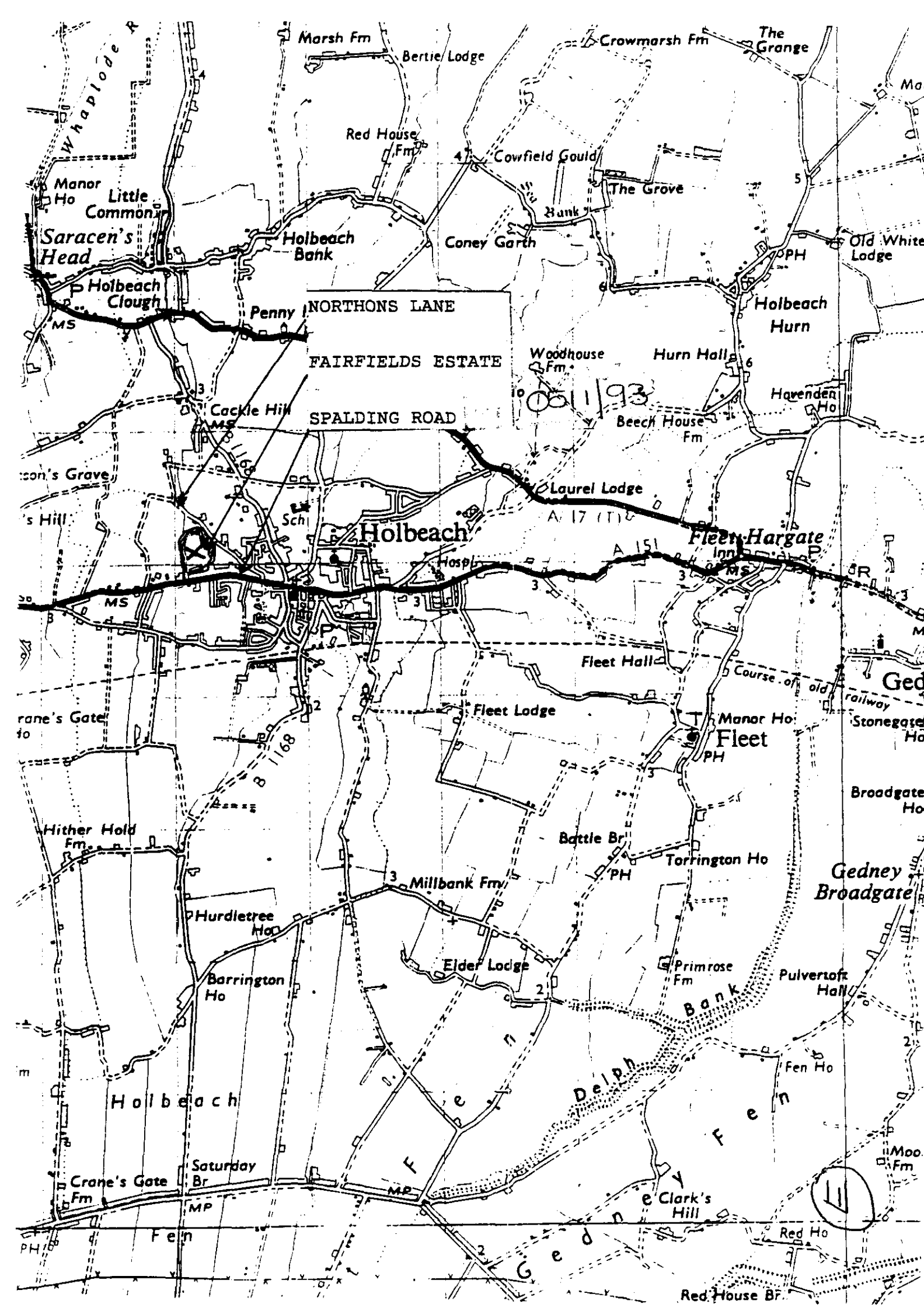
Similar Property to applicants but Please note mirror would be located to the side of applicants Property

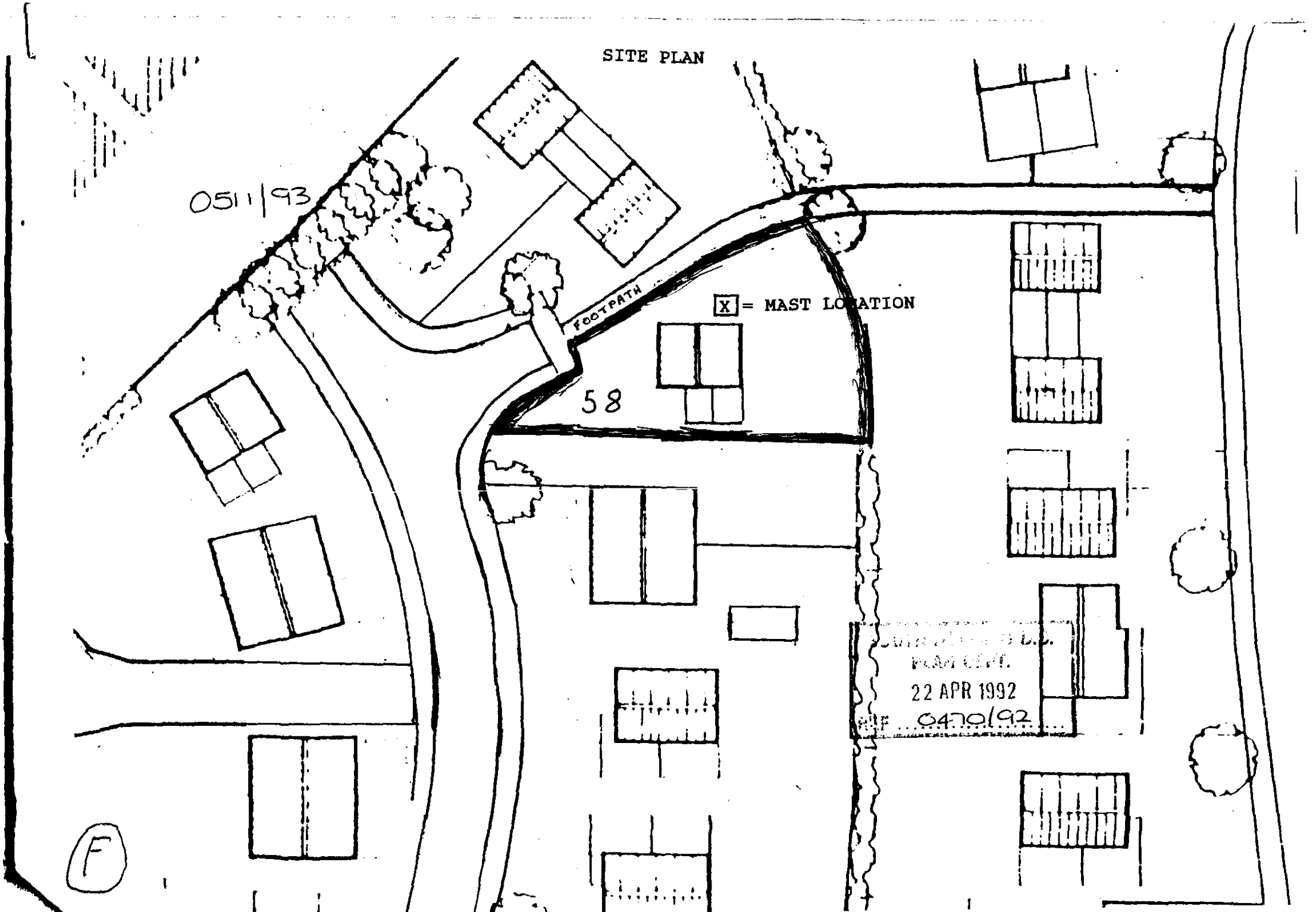
0511/93—

Example of Wall Mounted Tennamast attached to Bungalow

02JUN1993
0511/93

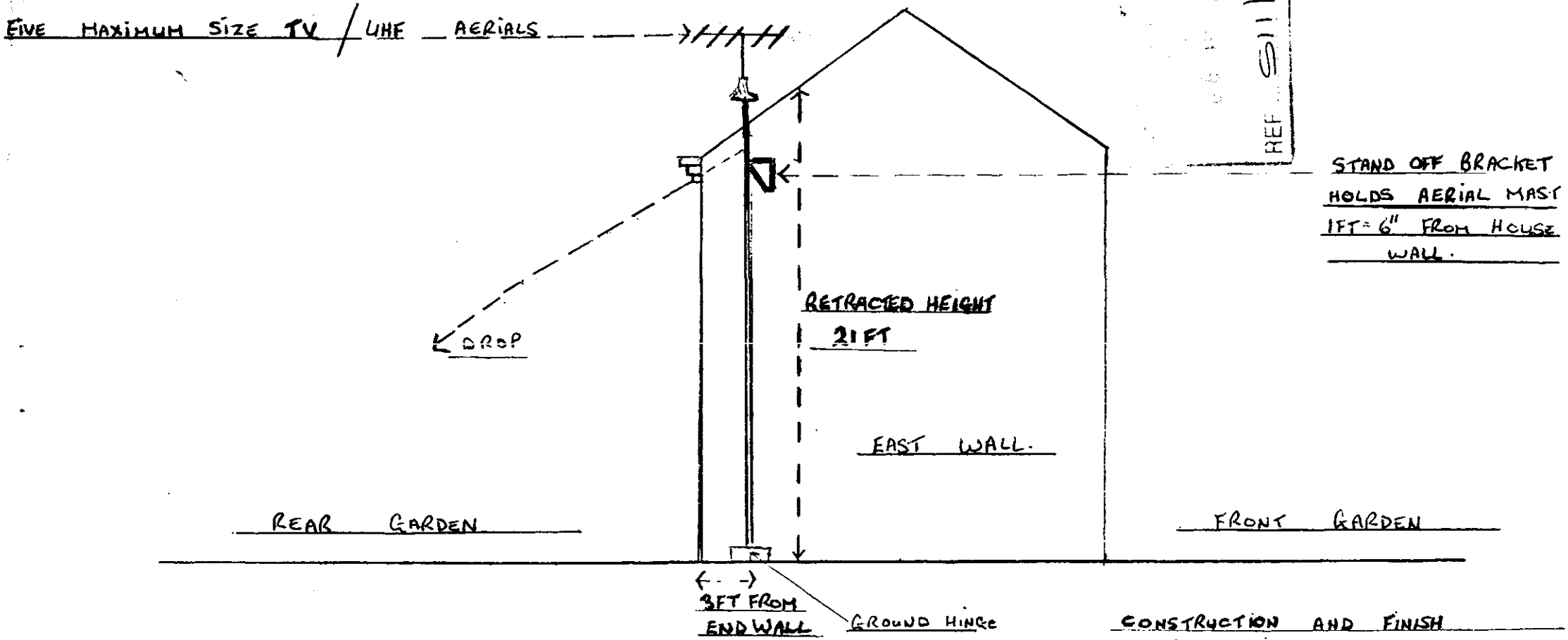
(A)


Marsh Fm
Bertie Lodge
Crowmarsh Fm
The Grange
Whaplode
Red House Fm
Cowfield Gould
The Grove
Manor Ho
Little Common
Saracen's Head
Holbeach Bank
Coney Garth
Old White Lodge
PH
Holbeach Clough
NORTHONS LANE
Penny
FAIRFIELDS ESTATE
Woodhouse Fm
Hurn Hall
Holbeach Hurn
06/1/93
Cackle Hill
SPALDING ROAD
Beech House Fm
Havenden Ho
Laurel Lodge
A 17 (T)
Holbeach
Fleet Hargate
A 151
Hospl
Sch
Fleet Hall
Course of old railway
Fleet Lodge
Manor Ho
Fleet
PH
Stonegate Ho
B 1168
Broadgate Ho
Hither Hold Fm
Battle Br
Torrington Ho
PH
Millbank Fm
Gedney Broadgate
Hurdletree Ho
Elder Lodge
Primrose Fm
Pulvertoft Hall
Barrington Ho
Bank
Fen Ho
Holbeach
Delph
Fen
Saturday Br
Crane's Gate Fm
MP
Clark's Hill
Red Ho
Red House Br


SITE PLAN
0511/93
FOOTPATH
X = MAST LOCATION
58
22 APR 1992
0470/92
F

DETAILS WALL MOUNTED TENNAMAST 35FT.

REF S1193



CONSTRUCTION AND FINISH GALVANISED

MAST 3½" X 3½"

UPPER SECTION CIRCULAR HOLLOW TUBE 2" OD.

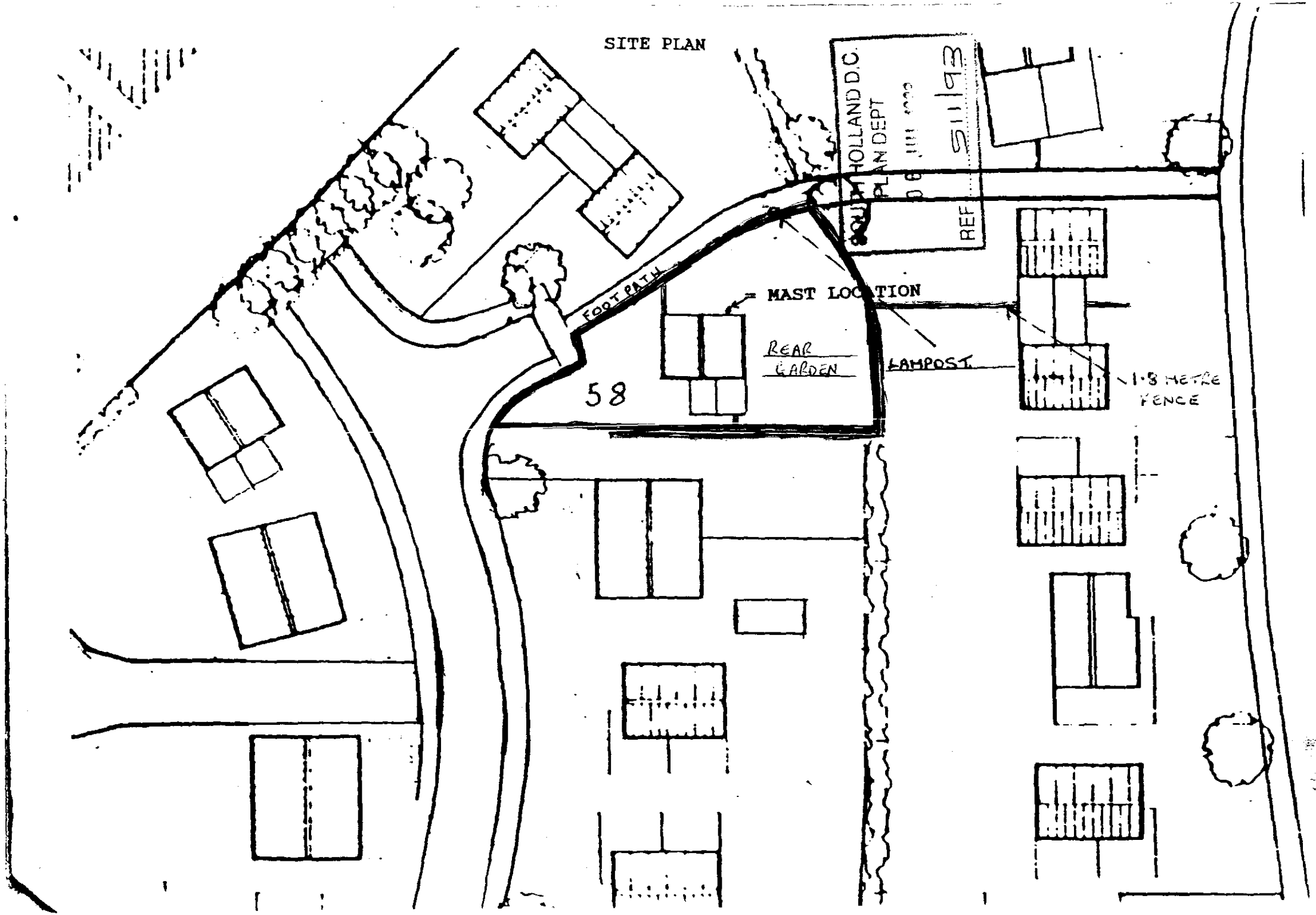
REAR ELEVATION

STAND OFF BRACKET HOLDS AERIAL MAST

MAST POSITION 1FT = 6" FROM EAST GABLE WALL

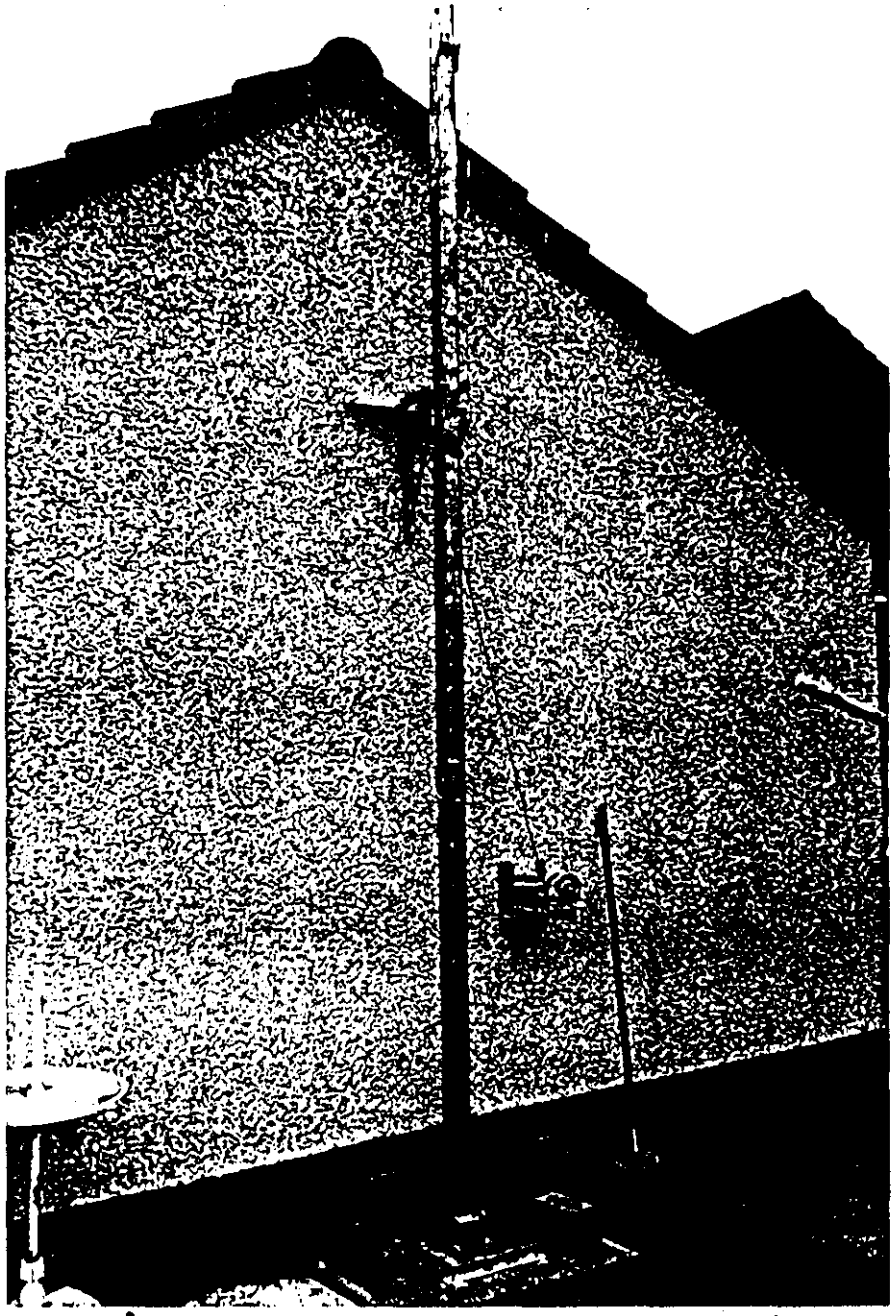
END WALL.

Photo of my Property showing Side wall to which Tennamast would be attached if wall mounted.


SITE PLAN
HOLLAND D.C.
PLAN DEPT
REF
FOOT PATH
MAST LOCATION
REAR GARDEN
LAMPOST
1·8 METRE FENCE
58

1993

S11193



Example of Wall Mounted Tennamast attached to Bungalow

TEL: (05055) 3324

9/11/93

Planning application

Mr S Smith Holbeach

Details of aerials to be attached to the mast

Total number of aerials at one time on the mast

Initially 3 with a maximum of 5

Dimensions of the 3 initial aerials and wavelengths covered

70 cms. boom length	1.2 metres	element diameter 3 mm
2 metre boom length	3.4 metres	element diameter 6 mm
6 metre boom length	8 metres	element diameter 8 mm

All three of the above aerials are very similar in size and appearance to domestic TV and VHF aerials for which permission is not required.

S1193

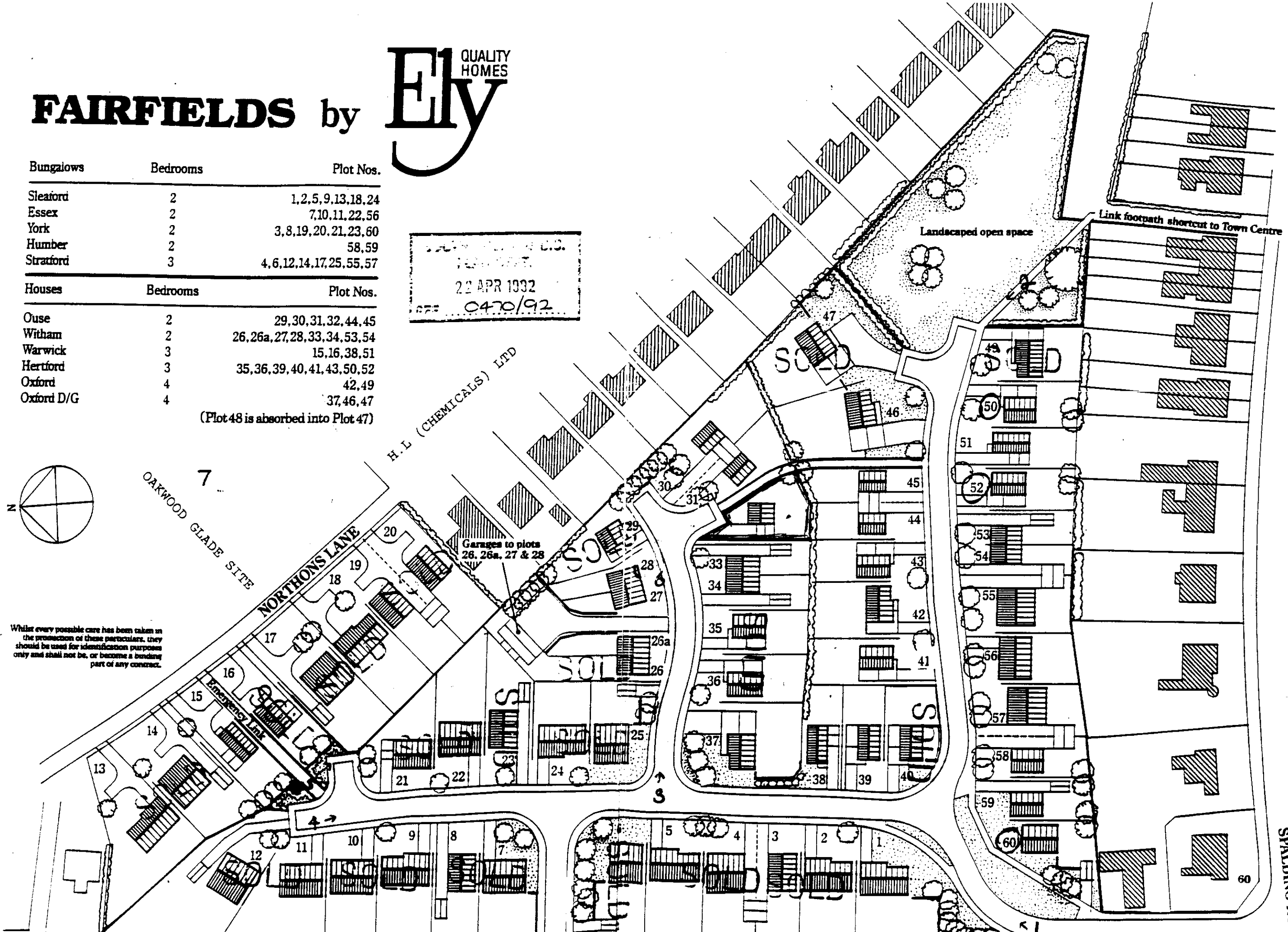
FAIRFIELDS by Ely QUALITY HOMES

Bungalows	Bedrooms	Plot Nos.
Sleaford	2	1,2,5,9,13,18,24
Essex	2	7,10,11,22,56
York	2	3,8,19,20,21,23,60
Humber	2	58,59
Stratford	3	4,6,12,14,17,25,55,57

Houses	Bedrooms	Plot Nos.
Ouse	2	29,30,31,32,44,45
Witham	2	26,26a,27,28,33,34,53,54
Warwick	3	15,16,38,51
Hertford	3	35,36,39,40,41,43,50,52
Oxford	4	42,49
Oxford D/G	4	37,46,47

(Plot 48 is absorbed into Plot 47)

22 APR 1992
0470/92



Whilst every possible care has been taken in the preparation of these particulars, they should be used for identification purposes only and shall not be, or become a binding part of any contract.