# 9. INFRASTRUCTURE

## Introduction

**9.1** The basic physical necessities or infrastructure to sustain a community (also referred to as utilities) include water supply, surface water drainage and sewerage, as well as essential services such as gas, electricity and telecommunications. The treatment and disposal of sewage is considered in Chapter 10 Waste and Minerals. Water supply is addressed in Chapter 13 Environmental Protection. Roads and railways are also regarded as infrastructure, although they are dealt with in Chapter 15 Transport and Accessibility.

**9.2** There is, as yet, little Government guidance on the provision of infrastructure in general, although PPG12 'Development Plans' (1999) advises that the requirements of the utilities for land to meet the demands placed on them and their environmental effects need to be considered (paragraph 6.14). These may extend beyond a local authority's boundaries. It also advises that there is a need for a broad measure of phasing of development to allow proper time to ensure that the provision of utilities can be managed (paragraph 6.21).

**9.3** Current Government guidance which relates specifically to telecommunications is set out in PPG8 'Telecommunications' (2001). Whilst underlining the benefits and importance of the telecommunications industry, PPG8 balances these considerations against the need to protect visual amenity and to respect the character of Conservation Areas and landscape policy areas (paragraphs 3 - 4 and Appendix). PPG8 also provides advice about health considerations in making planning decisions about telecommunications equipment, and explains permitted development rights.

## Strategic provision of infrastructure

**9.4** **Policy INS** aims to establish a framework which ensures the provision of a satisfactory and sustainable infrastructure.

**9.5** Although water supplies to Torbay have been improved with the opening of the Roadford Reservoir, there is still an important need to monitor provision carefully. Some areas may not be capable of being serviced with a satisfactory water supply and in areas of new development, off-site reinforcement of water mains may be required. New development cannot take place unless it can be connected to a satisfactory water supply system (see also **Policy EP10**).

**9.6** South West Water Services Ltd is implementing the Torbay Marine Scheme as part of 'Clean Sweep'. This comprises a fully integrated waste water treatment works (commissioned in 2002), together with a series of new pumping stations to provide a new waste water treatment scheme for the whole of Torbay, in compliance with EU regulations (see Chapter 10 Waste and Minerals).

**9.7** It is important to ensure that new development does not overload the existing infrastructure system. There is a legal requirement under the Water Industry Act 1991 to provide water supply and sewerage to new development. In certain large scale developments, it will be necessary for the developers to enter into legal agreements to ensure proper levels of infrastructure provision and phasing. Separate surface water drainage facilities will be required in such cases.

**9.8** The new housing development at Scotts Bridge/Barton has necessitated major infrastructural improvements, including a new foul sewer to the Buckland sewage treatment works on the River Teign and a flood control lagoon at Browns Bridge. Major improvements to the surface water drainage to serve the proposed new housing at Great Parks are required and the site of the former Great Parks Lakes is identified as a location for flood relief purposes in the Great Parks Planning Brief.

**9.9** No major gas, electricity or communications supply problems are anticipated during the Plan period, although off-site works may be required in areas of major expansion. New developments must have regard to existing infrastructure facilities, including, for example, overhead power lines, which are addressed in **Policy IN2**.

**9.10** The provision of underground services falls within permitted development rights and consequently is not covered by Local Plan policy. However, a Code of Practice for operators is set out in the **Environmental Guide** (see **Section 12**). **Policies IN3** and **IN4** provide detailed guidance in relation to telecommunications developments.

## INFRASTRUCTURE POLICIES AND PROPOSALS

### INS Infrastructure strategy

**Infrastructure for new development in Torbay should be implemented in a sustainable manner. Proposals should be consistent with safeguarding the area's attractive environment and ensuring that the amenities enjoyed by the community are not adversely affected.**

**Explanation:**

**9.11** Government guidance (PPG12 'Development Plans' (1999) paragraphs 6.14 - 6.17) states that the capacity of existing infrastructure and the provision of new facilities should be taken into consideration in the preparation of new development plans in order to provide linkage for development and infrastructure requirements over a reasonable length of time (paragraph 6.15).

**9.12** It is essential to the process of sustainable development that a balance is provided between the provision of a proper level of infrastructure and the protection of Torbay's environment, and the amenities enjoyed by the community. There are links to the sustainable provision of infrastructure and the various aspects of environmental protection such as the protection of water resources (**Policies EP9 - 10**) and sustainable drainage measures (**Policy EP11**).

**9.13** Where development generates the need for new infrastructure, development contributions may be required, as set out in **Policy CF6**.

### IN1 Water, drainage and sewerage infrastructure

**Major new developments will require provision for separate surface and foul drainage, or other appropriate methods for disposal, including flood relief schemes where applicable, and also satisfactory water supply.**

**Explanation:**

**9.14** The existing sewerage system serving most of Torbay (except the Scotts Bridge/Barton area) was constructed to take both foul sewage and surface water and it is already working near capacity. Therefore any new development will have to provide a separate system to take surface water to the existing natural drainage system. In addition, developments should take into account the possibility of flooding and make provisions safeguarding against this, using sustainable drainage methods where possible (see **Policy EP11**). Where these cannot be provided for, it could constitute a reason for refusal of development.

**9.15** Water is a finite resource. Despite recent improvements, water supply capacity is still limited and schemes equivalent to ten dwellings and above may require off-site reinforcement of the water mains. Other localised areas, including tracts of higher ground, may be incapable of being serviced satisfactorily without major infrastructural works.

**9.16** It is necessary to ensure that development schemes are connected to adequate means of water supply, sewerage, sewage disposal and surface water drainage at the outset. The provision of water supply, sewerage and sewage disposal serving a development is the developer's responsibility under the Water Industry Act 1991. Where there is an impact on wider infrastructure, developers will be expected to enter into legal agreements to ensure the satisfactory provision of these facilities, including the securing of a phased development programme where appropriate.

**9.17** Detailed guidance on developer contributions is given in **Policy CF6**.

### IN2 High voltage power lines

**Development immediately underneath or adjacent to overhead high voltage power lines will not be permitted where this would adversely affect amenity.**

**Explanation:**

**9.18** Overhead power lines can be unsightly and adversely affect the amenities of people living and working in their vicinity. Locating high voltage power cables underground has many disadvantages, although it can sometimes alleviate some of the amenity problems noted above. Nevertheless, in view of the practical, technical and cost disadvantages involved it is only likely to be appropriate in exceptional circumstances. Careful line routing will often be a more appropriate way of minimising the visual impact of high voltage power lines. Where appropriate, the Council will support undergrounding of cables so long as this does not adversely affect ecological or archaeological resources.

**9.19** The term 'high voltage' is taken to include any power lines in excess of 132Kv. There have been a number of studies on the link between high voltage power lines and health risks. The most comprehensive recent report, the UK Childhood Cancer Survey (UKCSS) (December 1999) found no association between power lines and health risks. A more recent report, the advisory group on non-ionising Radiation (AGNIR) on ELF Electromagnetic Fields and the Risk of Cancer (January 2001) called for further research into the effects of prolonged exposure to magnetic fields on children. The Council will have regard to the advice of the National Radiological Protection Board on these issues when determining relevant planning applications.

**IN3 Telecommunications**

**Proposals for further telecommunications developments will be determined on the basis of the following sequential test:-**

**(1) (a) locations identified on the Proposals Map are the preferred sites. Existing masts at Great Hill, Torquay (IN3.1) and Beacon Hill, Paignton (IN3.2) are identified as the sites for masts to provide the major installations to meet the principal needs of telecommunication operators servicing Torbay. Subject to technical and physical limitations, these masts shall accommodate antennae for all operators;**

**(b) it is recognised that supplementary facilities will be necessary on other sites to meet operational requirements. The preferred site for such facilities in Torquay is at Waldon Point, St. Luke's Road North, Torquay (IN3.3); and**

**(c) in Paignton, priority will be given to proposals which use existing masts or buildings wherever this is technically feasible. Existing masts, e.g. South Furzeham Road (IN3.4) or the roofs or grounds of appropriate buildings (e.g. Brixham Community College (IN3.5) are identified to meet the supplementary needs of Brixham.**

**(2) Where the sites referred to above and indicated on the Proposals Map are not suitable for technical reasons, preference will be given to accommodating apparatus on a building or an existing mast, subject to landscape, townscape and amenity considerations.**

**(3) Proposals for further telecommunications masts (whether requiring express planning permission or submitted under prior approval procedures) will be permitted where:-**

**(a) Stages 1 (allocated sites) and 2 (existing buildings or masts) above are not capable of providing a satisfactory solution in technical or environmental terms;**

**(b) the impact of the proposed development does not conflict with townscape, landscape and nature conservation policies;**

**(c) the proposed development does not have an unacceptable impact on adjoining residential properties; in this respect the Council will have particular regard to the elevation, height and design of the proposed development, its proximity and relationship in terms of aspect of residential property, and the density of the surrounding development;**

**(d) the development has been designed, having regard to technical considerations, to present a satisfactory external appearance in the context of its location and the surrounding area; and**

**(e) existing landscape features have been utilised and/or an appropriate landscaping scheme has been prepared to minimise the impact of the development on the surrounding area.**

**Explanation:**

**9.20** Telecommunications are accepted as an essential and beneficial element in the life of the local community and in the national economy. New technology is constantly being developed, much of which may result in development of local or national significance. The quality of life can be enriched through good communications, which can benefit the environment through reducing the need to travel and hence reduce pollution from vehicles.

**9.21** The need to maintain a proper balance between making provision for the needs of the telecommunications industry and protection of high quality landscapes and quality in urban areas from visual intrusion is set out in PPG8 'Telecommunications' (2001) (paragraphs 14 - 18 and 64 - 65).

**9.22** In Torbay's case, with its undulating topography and high environmental quality, the balance advocated in PPG8 is a fine one. It has become apparent that many of the preferred locations of system operators are likely to be in the areas of high quality landscape, or would cause an unacceptable impact on the amenities of residential areas. It has to be recognised that the operators are obliged (under their licences) to provide an adequate service for their subscribers. Technical requirements determine the distribution of new towers or aerials and the closeness of these cell centres. It also needs to be recognised that Torbay's attractive environment is an essential facet of the resort's tourism industry and is cited in surveys as the biggest single reason why holidaymakers come to the area. Torbay's environment and its economic implications are therefore not typical of the nation as a whole and the balance advocated in PPG8 needs to be interpreted in the light of this important consideration.

**9.23** The Local Plan therefore sets out a sequential approach to site allocation in order to avoid a proliferation of masts in the area, including those which may be proposed under the prior approval procedure. The sites allocated in the Proposals Map have been identified following careful consideration by

the Council in consultation with the code system operators. It is recognised that some operators will also require 'booster' sites and the policy also sets out criteria for these enhancer facilities. This adopts a sequential approach of locating antennae firstly on proposed sites. Where these are not suitable, existing masts or buildings should be used if possible. Applicants will need to satisfy the Council that they have explored the possibility of erecting antennas on existing buildings, masts or other structures. Applicants will be required to give an undertaking that they will not unreasonably prevent the sharing of their masts. This test will apply both to masts which require formal planning permission and to those covered under prior approval procedures under Part 24 of the General Permitted Development Order 1995; although control over these is limited to siting and design.

**9.24** In addition to achieving a satisfactory location, it is important to ensure that details of material, colour and design are appropriate, including aspects such as landscaping and re-grading to reduce the impact. The industry has, in recent years, demonstrated innovative solutions to make equipment harmonise with its surroundings. In addition to the design of equipment itself, the necessity for any associated plant, vehicular access etc. will also be a material consideration.

**9.25** The establishment of telecommunications systems on buildings in Conservation Areas is dealt with in **Policy BE5.**

**9.26** Work inside buildings using small external boxes, such as micro systems, will be considered to be 'de minimus' works not requiring planning permission, so long as they are coloured to match the building and are not on listed buildings.

**9.27** In 1999, the Government commissioned a report by the Independent Expert Group on Mobile Phones (IEGMP), chaired by Sir William Stewart, to investigate the possible health concerns associated with telecommunications base stations. On the basis of this report (May 2000) the current Government advice is as follows: "If a proposed development meets the ICNIRP (International Commission on Non-Ionizing Radiation Protection - 1998) guidelines (as recommended by Stewart on a precautionary basis), it should not be necessary for a planning authority, in processing the application, to consider the health aspects further. Most existing base stations already meet these guidelines and we expect all new base stations to do so". The Council will have regard to this, and any subsequent guidance from the National Radiological Protection Board and IEGMP, in determining applications.

**IN4 Redundant telecommunications equipment**

**It will be a condition of any approval given that any telecommunication aerials and ancillary buildings that subsequently become redundant will be permanently removed from the site and land be reinstated to its former condition or in accordance with details to be previously agreed with the Council.**

**Explanation:**

**9.28** Telecommunications technology is rapidly changing. It is critical to avoid a proliferation of masts in Torbay. The removal of redundant masts will therefore be required as a condition of planning approval.

**9.29** Although the removal of surplus apparatus is sometimes required by the Telecommunications Act 1984, it is felt that conditions to remove redundant equipment satisfy the test of reasonableness set out in Circular 11/95.