

10/00559/NTEL: PROPOSED SITING OF 12M HIGH LAMP POST STYLE MAST WITH ASSOCIATED EQUIPMENT CABINET CAM7165 AT HIGHWAY VERGE LAND CORNER OF THORPE ROAD JUNCTION WITH AUDLEY GATE, NETHERTON, PETERBOROUGH

APPLICANT: ORANGE PCS LIMITED
AGENT: GODFREY-PAYTON CHARTERED SURVEYORS
REFERRED BY: HEAD OF SERVICE
REASON: SIGNIFICANT NEIGHBOUR OBJECTION
DEPARTURE: NO

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1 SUMMARY/OUTLINE OF THE MAIN ISSUES

The main considerations are:

- The siting and design of the mast.

The Head of Planning Services recommends that the application is **REFUSED**.

2 PLANNING POLICY

In order to comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be taken in accordance with the development plan policies set out below, unless material considerations indicate otherwise.

Development Plan Policies

Relevant policies are listed below with the key policies highlighted.

Peterborough Local Plan 2005

- U11 Where planning permission for telecommunications development is required it will be granted where:
- a) it would not unacceptably harm the living conditions of residents or the character and appearance of the surrounding area, particularly in terms of size, design, prominence, or relationship to surrounding buildings, spaces or landscape; or
 - b) any such harm is outweighed by the need for the proposal as part of a telecommunications network; and
 - c) there is no alternative site available that would be satisfactory in technical and operational terms, and where the environmental impact would be less; and
 - d) there is no reasonable possibility of sharing existing telecommunications installations or sites, or of erecting antennae on an existing building or structure, with acceptable environmental impact.

Material Planning Considerations

Decisions can be influenced by material planning considerations. Relevant material considerations are set out below, with the key areas highlighted:

- PPG8 'Telecommunications' gives general advice on dealing with proposals for telecommunications masts.

3 DESCRIPTION OF PROPOSAL

Installation of a 12 metre high monopole to be painted 'dove grey' with a shrouded three-sectored antenna. The proposal will have no dishes and takes the shape and form of lighting a street light. The proposal also includes the installation of one no. equipment cabinet located adjacent to the monopole and one no. electricity pillar, both to be painted 'midnight green'.

The proposal is needed because the existing mast on the roof of Peterborough District Hospital will soon no longer be available due to the redevelopment of the site. The existing mast covers a large single cell but this has to be split into 3 smaller cells. The proposal is to serve one of these smaller cells.

4 DESCRIPTION OF SITE AND SURROUNDINGS

The site is part of the highway verge adjacent to the junction of Thorpe Road, Thorpe Park Road and Audley Gate. It is approximately 31 metres wide at its narrowest point, comprising a grass verge with four no. trees varying from 9 metres to 12 metres in height. To the rear of the verge Blind Lane connects Thorpe Road to Bradwell Road. There are a number of existing sluice valves adjacent to the footpath along Thorpe Park Road albeit these are not affected by the proposal. Residential properties surround the site to the north east and west with the nearest residential property (No. 216 Thorpe Road) situated approximately 63 metres away. The access road to Thorpe Hall is situated to the south on the opposite side of Thorpe Road.

5 PLANNING HISTORY

There is no relevant planning history.

6 CONSULTATIONS/REPRESENTATIONS

INTERNAL

Head of Transport and Engineering – No highway objections. Request condition relating to details of access and parking for maintenance vehicles.

Conservation Officer – Column needs to be judged in relation to style and appearance of lamp columns it is seeking to replicate. The overall height may be greater than a standard lamp but it is considered that visual impact will be limited. Development is not considered to harm the character and appearance of Longthorpe Conservation Area of the setting and character of Thorpe Hall.

EXTERNAL

Peterborough Civic Society - If mast is essential should be located behind a stand of trees to prevent harm to setting of Thorpe Hall

Netherton Residents Association – Confusion regarding the consultation period. Residents are concerned regarding the health implications of the proposal and the environmental impact which could be avoided.

NEIGHBOURS

Thirteen surrounding properties were notified of the application, a site notice erected and the application was published in the Evening Telegraph.

Letters of objection have been received from 10 local residents raising the following issues:

- Inadequate publicity / consultation with local residents / correct procedure has not been followed
- Inappropriate site given ample agricultural land and other open space to south of Thorpe Road
- Difficulty for grass cutters as structure will interrupt mowers
- Location isolated from street lighting and be regarded as a joke locally
- Control and electricity control cabinets appear isolated and out of context with grassed area

- Other suitable locations/should be located in a lower density area away from residential homes and public footpaths
- Not in accordance with Policy U11 of the Adopted Peterborough Local Plan (First Replacement)
- Considerable detrimental impact on landscaping of area
- Covenant may prevent development
- Exposure of schoolchildren/local residents to radiation
- Mast will dominate the surrounding trees/houses/streetscene
- No evidence that guidelines have been followed regarding siting
- Underground services are not correctly shown
- Trees do not adequately screen the mast
- Mast will harm the enjoyment of walkers, cyclists, residents and school children who use Blind Lane
- Supporting documentation exaggerated the ‘usefulness’ of siting a mast in this location
- Site has limited potential for mast sharing
- The cabinets would be prone to vandalism
- Would distract drivers and cause a danger to highway safety

Several telephone calls have also been received and it is anticipated that more formal objections to the proposal will be received. Details of additional responses will be provided in the update report to Members.

COUNCILLORS

Councillor Cereste – Contacted Officers by telephone to seek potential repositioning of the monopole to address concerns raised by local residents. This request had been put to the applicant and a response is awaited (to be provided in the update report to Members).

Councillors Matthew Dalton / Samantha Dalton / Nick Arculus – Raised objection to the siting of the mast due to adverse impact on character and appearance of area.

7 REASONING

a) Introduction

This is not a conventional planning application; it is a notification under Part 24 of the Town and Country Planning (General Permitted Development) Order (GPDO). Under this section the proposed mast is classed as Permitted Development. The operator is required to ‘*apply to the local planning authority for a determination as to whether the prior approval of the authority will be required to the siting and appearance of the development*’. The Local Planning Authority (LPA) has 56 days from receipt of the notification in which to advise the applicant whether it wishes to exercise control over the siting or appearance of the mast, and whether the siting and appearance are acceptable or not.

b) Policy issues

The controlling policy when deciding an application for planning permission is U11 which sets out four tests for telecommunications applications. Although this is a notification under the GPDO, it is still appropriate to consider the proposal against those headings; namely, harm to the living conditions of residents or the character and appearance of the surrounding area; the need for the proposal as part of a telecommunications network; alternative site availability and the possibility of sharing existing telecommunications installations.

Harm to living conditions

It is accepted that the monopole would be visible from some nearby residential properties and the public realm along Thorpe Road, Thorpe Park Road and Audley Gate. The nearest residential property is approximately 70 metres from the proposed siting. The proposal would not block light, cast shadows or otherwise have any material impact upon the living conditions of nearby residents.

Need

At present, the operator has a large Macrocell site comprising of antenna and dishes on the roof of Peterborough District Hospital. Due to the future redevelopment of this site, an alternative location needs to be found. In order to maintain coverage, and due to the lengthily time period for full operation of these sites, this alternative site needs to be established. Fig.1 in the *Access, Design and Supporting Statement* which accompanies the application sets out the current coverage area of the existing Macrocell. The drawing shows only predicted coverage as each cell has a limited capacity and over time as it nears this capacity, the coverage area diminishes. The figure shows the maximum coverage of the cell. The applicant wishes to not only replace the current coverage but also extend enhanced data coverage and provide sufficient capacity to accommodate anticipated growth over the next 10 years. Having undertaken a detailed search of the area, the applicant cannot replace the single Macrocell at the hospital site with another single large installation and therefore three separate smaller cells have been proposed. These cells, of which the application scheme is one, maintain the level of coverage (as shown in Fig.2). It is considered that the maps showing coverage levels are adequate evidence.

Alternative sites

The applicant has listed alternative sites that have been considered in determining the most appropriate location for the monopole. The search area extends to the area shaded as red in Fig.1 of the supporting document however the application site relates only to the west of this area. There are various reasons given in the '*Supporting Statement*' which accompanies the submission discounting alternative sites and providing support to the proposed location. Masts must be sited when on Highways land, so as to avoid underground services and must not reduce the width of the footway unacceptably.

Requests have been made from local residents to consider alternative locations further to the west along Thorpe Road. These have been put to the applicant and verbal response has indicated that such positioning was discounted due to existing underground services however a formal response is anticipated. This will be provided in the update report to Members. The table below sets out those alternative sites which have already been considered unsuitable by the applicant.

Site	Site name and address	Reason for not choosing
	<i>Sufficient information to identify site</i>	<i>SP – Site Provider RD – Redevelopment not possible T – Technical difficulties P – Planning O – Other</i>
Existing Telecoms site Greenfield	Orange site CAM177 Saville Road, Peterborough 15m Mini-macrocell on adopted Highways E517663 N299948	T – Existing Orange site
Existing Telecoms site	O2 site 11673 Peterborough District Hospital, Thorpe Road, Peterborough	RD – At Peterborough District Council Hospital which is being redeveloped
Existing Telecoms site Rooftop	H3G site PE0021 Peterborough District Hospital, Thorpe Road, Peterborough	RD – At Peterborough District Council Hospital which is being redeveloped
Existing Telecoms site	O2 site 4489 Microcell Station Road, Peterborough E5178726 N298836	T – 7m high Non-sharable structure designed to provide coverage to the station/railway line
Greenfield	Proposed mast at the Junction of Longthorpe Parkway (A1179), junction with Thorpe Meadows, Peterborough E517494 N298578	T – Underground services and access difficulties
Greenfield	Proposed mast at Longthorpe Parkway (A1179), Peterborough E517461 N298651	T – Access difficulties due to sloping grass verge. Also no natural screening
Greenfield	Proposed Revised location closer to Blind Lane, Off Audley Road, Peterborough	O – Having undertaken ground radar scans of the highways verge it was clear that there are numerous services in the verge closer to Blind Lane. Blind Lane is

		not adopted highway so access would be more problematic.
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Sharing

Examination of the Ofcom “Sitefinder” website and the LPA’s own records suggests that there are no masts within the search area which could accommodate the additional cells.

Appearance

The proposed mast is similar in appearance to a street light and is of a standard 12 metre high monopole. Although appearance is always a subjective matter, the mast will appear at odds with and incongruous within the streetscene because it is in such a location where a lamp-post would not normally be located. The mast is proposed to be sited in a location which does not follow the line of existing street lighting and as such, the design is inappropriate within its context. Furthermore, the monopole is of a height far greater than the surrounding street furniture and as such, its design does not allow assimilation into the streetscene.

Siting

The proposed mast is sited out of a line of street lights and will appear incongruous and out of place. The additional height will make it more noticeable than the street lights and its siting is prominent and damaging to the character and appearance of the surrounding area. It is acknowledged that the proposed cabinets will be hidden within the tree line and are of a size and design of cabinets that are found in many urban or sub-urban streets. As such these are familiar items that will not appear out of place.

There has been strong opposition to the proposal in terms of the detrimental impact that the monopole would have upon the character and appearance of the area. It is considered that the proposal has not been designed following the guidance set out in the document ‘Code of Best Practice on Mobile Phone Network Development (CLG, 2002)’. This document sets out advice which should be followed in erecting new ground based masts. The proposal has been designed so as to reflect the appearance of form of surrounding lighting columns however it does not follow the established line of these along the public highway. The mast is proposed to be sited within the line of three established and mature trees on the site which will shield its appearance only in part and the monopole will still appear visually prominent within its setting.

Consultation has been undertaken with the City Council’s Conservation Officer who raised no objections to the proposal. Whilst the monopole is in close proximity to the boundary of the Longthorpe Conservation Area and Thorpe Hall (a Grade I Listed Building) it is not considered that it will cause harm to the character, appearance or setting of these designations. However on balance, it is considered that the proposal fails to meet the requirements of Policy U11 and DA2 of the Adopted Peterborough Local Plan (First Replacement).

c) **Highway implications**

The Local Highway Authority has not raised any objection to the proposal as the verge is of sufficient size to enable a service vehicle to park clear of the public highway during periods of maintenance. The applicant requires access to the mast with a cherry picker (or van with a basket) to maintain the antenna. Space has been shown on the accompanying plans for this albeit the LHA have requested a drawing requiring details of this space.

d) **Other matters**

Inadequate publicity/consultation with local residents

This is not a material consideration in the determination of prior approval with regards to the siting and design of the proposal. However, the Local Planning Authority has undertaken publication of the application beyond the Council’s normal practice and the legal requirements set out in the Town and Country (General Permitted Development) Order 2001 by consulting immediately adjoining residents, erecting a site notice and publishing the application in a local newspaper.

Inappropriate site given ample agricultural land and other open space to south of Thorpe Road / should be sited behind a stand of trees / mast will look odd set so far back from other street lights

Details of alternative sites considered and discounted by the applicant are discussed in the preceding section. The applicant states in the accompanying documents that trees can significantly reduce the capacity and operational effectiveness of coverage and therefore such a location would be inappropriate. It is also considered that the proposal has been set back from the line of existing services in order to avoid crossing with the existing telecoms services.

Health implications

ICNIRP (International Commission on Non-Ionizing Radiation Protection) is the international body that issues guidelines for exposure limits for this type of radiation, which includes the radiofrequency fields emitted by mobile phones. While PPG8 states that "Health considerations and public concern can in principle be ... considerations in determining applications ...", it is also very clear that the planning system is not the place to consider the alleged health impacts of mobile phone masts. If a proposed mast meets the ICNIRP guidelines it should not be necessary for the Council to consider the health aspects further. The applicant has submitted a statement confirming that their equipment would be in accordance with the guidelines and therefore it is not considered that the application could be resisted on this basis.

The applicant has provided theoretical power levels expressed in terms of ICNIRP general guidelines. In respect of the proposal, the applicant must adhere to 9 W/sqm for GSM and 10 W/sqm for UMTS. Based on a theoretical model for a 10 metre high monopole, the maximum level of radiation (within 50 metres of the monopole) would reach only 0.086% of the ICNIRP maximum requirements for non-ionising radiation.

Difficulty for grass cutters as structure will interrupt mowers

There are existing trees and a lamp post situated on the grass verge which must be negotiated by grass cutters currently. It is unlikely that the proposed monopole and cabinets will significantly alter this. This is not a material planning consideration.

Location isolated from street lighting and be regarded as a joke locally

It is considered that the monopole will appear incongruous and out of place within the streetscene for this reason. The mast has been designed to reflect the form of existing street lights but has been sited behind the line of existing columns. This will appear out of place and detract from the character and appearance of the area.

Control and electricity control cabinets appear isolated and out of context with grassed area

The size, design and colour of the associated cabinets are similar to those found in many urban and sub-urban areas and as such, will not appear out of keeping with the character of the area.

Covenant may prevent development / proposed on Highways land

Any covenant, licence agreement or similar is not a matter for the planning system. The arrangements between the land owner and the applicant are not a planning matter. Telecommunications operators are classed as "statutory undertakers" and have a right to place equipment on Highway land.

Highway danger

The Local Highway Authority has raised no concerns in this regard.

Cabinets will be subject to vandalism and graffiti

There is no reason to suppose that the equipment cabinets would attract any more graffiti than other similar installations in the area, or surfaces such as shelters at bus stops.

8 CONCLUSIONS/REASONS FOR RECOMMENDATION

The proposal is unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The design of the proposed monopole reflects the appearance of existing street lighting within the surrounding area but has been sited in such a location where lighting columns would not normally be located and is taller. As such the mast will appear incongruous within the street scene.

The proposal is therefore contrary to Policy U11 of the adopted Peterborough Local Plan (First Replacement).

9 RECOMMENDATION

The Head of Planning Services recommends that the proposal is REFUSED.

The proposal is unacceptable having been assessed in the light of all material considerations, including weighting against relevant policies of the development plan and specifically:

- The design of the proposed monopole reflects the appearance of existing street lighting within the surrounding area but has been sited in such a location where lighting columns would not normally be located and is taller. As such the mast will appear incongruous within the street scene.

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Copies to Councillors Cereste, Arculus, M & S Dalton,

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