

COMMITTEE REPORT

Date: 8 July 2021

Ward: Rural West York

Team: West Area

Parish: Nether Poppleton Parish
Council

Reference: 21/01067/TCMAS

Application at: Proposed Telecommunications Equipment Millfield Lane Nether
Poppleton York

For: Erection of a new 15m high telecommunications mast with wrap
around cabinet at base and associated ancillary works

By: Hutchison UK Ltd

Application Type: Telecommunication Mast Notice

Target Date: 12 July 2021

Recommendation: Approve

1.0 PROPOSAL

1.1 This application has been submitted under Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for the siting and appearance of the development. This is not a planning application and the principle of the development is approved under the GPDO. Consideration is confined to siting and appearance only under the prior approval application process.

1.2 The development relates to the installation of a 15m high telecommunications mast with wrap around cabinet at base of the column, installation of 3 no. new equipment cabinets and ancillary development. The height of the mast has been reduced from 20m. Additionally, the applicant has indicated that they will paint the additional cabinets Fir Green (RAL 6009) with the mast painted in grey (goosewing grey).

1.3 The proposed telecommunications mast and equipment will be sited on a grassed verge along the northern side of Millfield Lane. It is sited about 10m from the access to the Poppleton Junior Football Club. There is a dense hedgerow along the boundary with the football club. The nearest residential property is No. 82 Millfield Lane, on the opposite side of the road and approximately 40m away.

Call-in

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1.4 The application has been called-in by Councillor Hook citing that as the mast would be higher than a street light, it would be inappropriate for the Green Belt and adversely affect the look and feel of this area of the village.

2.0 POLICY CONTEXT

Poppleton Neighbourhood Plan (Adopted 2017)

No relevant policies

Publication Draft Local Plan (2018)

C1 Communications Infrastructure

Draft Development Control Local Plan (2005)

GP20 Telecommunications Developments

3.0 CONSULTATIONS

Highways Network Management

3.1 Any response will be verbally reported.

Nether Poppleton Parish Council

3.2 The Parish objects to the proposal citing the following reasons:

- the mast will be excessively high in the green belt
- it is not in keeping with the street scene of the area
- this area affords views of the Minster and has an open aspect
- planners agreed that the height of the wind turbine for the Football Club adjacent should be no higher than a streetlamp to avoid obstructing the open aspect and comply with Upper and Nether Poppleton Neighbourhood Plan policy PNP1
- there is a height restriction on all buildings (4m high) in the York Business Park to avoid obstructing views of the Minster from Poppleton

4.0 REPRESENTATIONS

4.1 The application has been advertised by site notice; no letters of representation have been received.

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5.0 APPRAISAL

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1 Section 10 of the NPPF “Supporting high quality communications” states in paragraph 112 that advanced, high quality and reliable communications is essential for economic growth and social well-being. Planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. It continues in paragraph 113 that where new sites are required (such as for 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

LOCAL PLANNING POLICY

5.2 Section 38(6) of the Planning and Compensation Act 2004 requiring determinations to be made in accordance with the development plan unless material considerations indicate otherwise does not apply to applications for Prior Approval. However NPPF and Council’s policies may be relevant as material considerations.

5.3 Although the site is within the Green Belt; this constraint is not a material consideration in the determination of a prior approval application, as an assessment can be made solely on siting and appearance of the development. This means that there is no scope to consider whether it is inappropriate development in the Green Belt or whether very special circumstances are needed to justify approval.

5.4 Publication Draft Local Plan 2018 policy C1 sets out that high quality communications infrastructure will be supported, wherever possible, unless adverse impacts on the special character of York significantly outweigh the benefits. Of particular note, proposal will be supported where the development is of an appropriate scale and design, and it is sited to not have any adverse impact on residential amenity of people and properties and minimise its impact on visual amenity (Policy C1ii). This policy can be afforded moderate weight in the assessment of the application.

5.5 Draft Development Control Local Plan 2005 policy GP20 states that permission will be granted where the visual intrusion and proliferation of equipment has been minimised, it does not result in a significantly adverse effect on the character of the area and the historic character of the City or its skyline. This policy is generally consistent with the policies in the NPPF but can be afforded very little weight in the determination of planning application.

5.6 The Poppleton Village Design Statement was approved as supplementary planning guidance in August 2003. Guideline 36 states that a shared communication mast is already available on the outskirts of the village and there should be no need for further mobile phone/communication masts. This guideline is not consistent with the NPPF and is considered to be significantly out of date.

ASSESSMENT

5.7 The area is relatively flat countryside between Poppleton and the boundary of the urban area. The east side of Millfield Lane is a grassed verge, with the west side offering a shared pedestrian and cycle route. There is a small scale (lower than 3m high) street sign on the grassed verge along with a sign indicating the presence of the Poppleton Junior Football Club. Further along is a tree which has a canopy height of about 4m. A tree on the opposite side of the road is about 14m in height. The street lights are low in height. The hedgerow minimises views of the football clubhouse and car park situated behind.

5.8 The vertical pole height of the mast has been reduced from 20m to 15m and the agent states is now the minimum that is capable of providing 5G coverage to the village. They also advise that the nature of 5G and the network services means that in some instances they are unable to utilise existing structures meaning that not all sites can be upgraded. 5G antennas are 3 times as heavy as previous antennas and therefore many street work designs are no longer structurally capable of hosting all the equipment of 2 operators. Furthermore, a traditional 'greenfield' mast has an open head frame and results in a more bulky design. Other considerations relate to pavement widths, underground services and residential amenity as well as limiting the cell overlap with surrounding base stations, to avoid interference.

5.9 The applicant sets out that the site has been judged to suitable for connectivity, minimised amenity issues and would not obstruct pedestrians, cyclists or road users. They also consider that the site has been influenced by numerous vertical elements of street furniture. Alternative locations in the village have been discounted because of their siting close to residential properties and the conservation area. In respect of locations along the ring road these have been discounted because of conflict with the footpath/cycleway and safety concerns but also because they are not viable; the mast at 20m high would not achieve operational requirements to the nominal point. 5G does not travel very far and does not travel thorough solid structures such as trees and buildings.

5.10 The NPPF advises that where new sites are required they should be sympathetically designed and camouflaged where appropriate. In respect of new masts the industry code of best practice suggests placing masts near to similar

structures; within or adjacent to groups of trees; using simple designs and appropriate colouring.

5.11 The proposed mast is considerably taller than existing structures within the vicinity, although this is now much reduced and will be at a similar height to the tree on the opposite side of the road. Whilst the tree on the opposite side of the road could offer suitable screening and backdrop, there is a shared footpath and cycleway and therefore the equipment would conflict with existing transport infrastructure. Whilst the mast would not be obscured by any surrounding development or vegetation and the mast would appear conspicuously tall and prominent, efforts have been made to camouflage it, and the proposals include the painting of the mast as well as the cabinets to help it blend with its environs. The mast would be painted grey to help blend in with the sky which it would be viewed against, with the cabinet's green, as they would have a backdrop of the hedgerow behind. However in other respects it does offer fewer planning constraints than locations within the village. The mast is designed with a slimline pole and the antennas at the top are also relatively slimline, and would not protrude so as to draw particular attention to them.

5.12 Objectors refer to the height of the wind turbine within the north eastern corner of the Poppleton Junior Football Club. Planning records indicate that this measures 18.5m to the hub and 24.8m to the tip of the blades, with the specification of the wind turbine reduced due to grant funding becoming unavailable, rather than any specific planning concerns. The wind turbine is similar to the proposed mast insofar that it is not viewed against the backdrop of buildings.

5.13 It is not considered that the mast would harm local views afforded of the Minster or adversely affect the setting of the village or the historic character of the city and its skyline. Given its slimline design, and its finish, it is not considered to be so harmful to visual amenity to justify the refusal of its siting and design.

5.14 Given its siting, there would be no direct overlooking to the mast and cabinets from any neighbouring property, and it would not impede pedestrian, cyclists or vehicle traffic.

Health Considerations

5.15 The NPPF sets out that applications for new electronic communications should be supported by a statement that self-certifies that when operational, International Commission guidelines on non-ionising radiation protection will be met. The application is supported by an ICNIRP certificate confirming that the site is within the ICNIRP guidelines. NPPF para.116 states that local planning authorities must determine applications on planning grounds only and should not set health

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safeguards different from the International Commission guidelines for public exposure.

6.0 CONCLUSION

6.1 Prior approval is required for siting and appearance of the mast and equipment. The new telecommunications mast and cabinets to facilitate 5G technology is considered to be of an appropriate scale and design, due to its slimline design and finish, and would not detrimentally harm the visual amenity of the area or the special historic character of York.

6.2 It is considered that the requirements of the NPPF paragraph 112 which supports the expansion of electronic communication networks is met, along with 2018 draft plan policy C1 and policy GP20 of the Development Control Local Plan.

7.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out in accordance with the following plans:-

- YOR17084_M001 B 210 PROPOSED H3G SITE PLAN
- YOR17084_M001 B 260 PROPOSED H3G ELEVATION

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

2 Notwithstanding what is shown on the approved plans, the telecommunications mast shall be finished in goosewing grey (RAL 7038) and the cabinets finished in Fir Green (RAL 6009) within three months of their installation and maintained for the lifetime of the development.

Reason: In order to reduce the visual intrusion of the telecommunications equipment in this rural location in order to accord with section 10 and specifically paragraph 113 of the National Planning Policy Framework (NPPF), draft policy C1 of the City of York Publication Draft Local Plan (2008) and policy GP20 of the City of York Development Control Local Plan (2005).

8.0 INFORMATIVES:

Contact details:

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