

COMMITTEE REPORT

Date: 8 September 2016 **Ward:** Hull Road
Team: Major and Commercial Team **Parish:** Hull Road Planning Panel

Reference: 16/01845/TCMAS
Application at: Proposed Telecommunication Mast at Grid Reference 463372 451307 Hull Road Osbaldwick York
For: Installation of 12.5m monopole with 3no. antennas, 1no transmission dish, 2no. equipment cabinets and 1no. meter cabinet
By: Cornerstone Telecommunications Infrastructure Ltd
Application Type: Telecommunication Mast Notice
Target Date: 26 September 2016
Recommendation: Approve

1.0 PROPOSAL

LEGISLATIVE BACKGROUND

1.1 This application has been submitted under the provisions of part 16 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for determination as to whether Local Planning Authority require prior approval of the siting and appearance of the development of electronic communications apparatus.

PROPOSAL

1.2 The proposal relates to the erection of a 12.5m streetworks pole and associated equipment cabinets to the central reservation along Hull Road, close to the junction with Pinelands Way.

1.3 The application has been called to committee by Councillor Barnes on the grounds of visual intrusion and highway safety.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYGP20 Telecommunication developments

3.0 CONSULTATIONS

INTERNAL

Highway Network Management

3.1 No comments at the time of writing the report

EXTERNAL

Neighbours

3.2 Expire 1st September 2016- No comments received at the time of writing the report.

Site Notice and Publicity

3.3 Expires 5th September 2016 - No comments received at the time of writing the report.

4.0 APPRAISAL

4.1 KEY ISSUES

- Visual impact
- Highway Implications
- Principle

LEGISLATIVE BACKGROUND

4.2 Under Condition A3 (3) of Part 16 an electronic communications code operator must apply to the local planning authority for determination as to whether prior approval will be required for the siting and appearance of the proposed development. The local planning authority has 56 days, beginning with the date on which it receives the application, to make its determination and notify the applicant of its decision.

POLICY CONTEXT

4.3 The National Planning Policy Framework 2012 (NPPF) sets out the overarching roles for the planning system and in Paragraph 14 advises that at the heart of the Framework there is a presumption in favour of sustainable development.

Paragraph 7 advises that there are three dimensions to sustainable development, which gives rise to the need for the planning system to perform the following roles:

- economic - contributing to building a strong, responsive and competitive economy
- social - supporting strong, vibrant and healthy communities
- environmental - contributing to protecting and enhancing the natural, built and historic environment

4.4 The National Planning Policy Framework 2012 (NPPF) sets out the Government's overarching planning policies. At its heart is a presumption in favour of sustainable development. Paragraph 186 states that Local Planning Authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. Paragraph 187 states that Local Planning Authorities should look for solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible. A core principle set out in paragraph 17 is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.5 Paragraph 42 states that advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate. Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.

4.6 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the content of the NPPF.

4.7 The relevant City of York Council Local Plan Policy is GP20 'Telecommunications Development'. This states that Planning permission will be granted for telecommunications developments, including tall masts, provided:

- a) it can be demonstrated that all efforts have been made to explore the possibilities of erecting the equipment on existing buildings or masts; and

- b) the visual intrusion and proliferation of such equipment has been minimized and the proposal does not result in a significantly adverse effect on the character of the area; and
- c) there would be no adverse effect on the historic character of the City or its skyline; and
- d) that applicants have provided sufficient evidence that the proposed apparatus will meet the latest Government approved guidelines for public telecommunications equipment.

ASSESSMENT

4.8 The application seeks prior approval for the erection of a 12.5m high telecommunications mast, three cabinets and railings. The equipment would be located within the central reservation of Hull Road, close to the junction with Pinelands Way. It would sit in close proximity to an existing signalled pedestrian crossing and the break in the central reservation which allows vehicles to enter and exit Pinelands Way. The central reservation already accommodates 9m high street lighting columns and mature trees, although the proposed site of the equipment is relatively open in character.

VISUAL IMPACT

4.9 The proposed equipment would be located within an open area of the central reservation where there is limited landscaping. However, when approaching the site from either the east or west along Hull Road, the mast would be seen in context with the mature trees in the background. A number of 9m high street lights are also present within the vicinity and whilst the proposed mast is approximately 3.5m higher it is considered that it would not appear overly intrusive or out of character. The area is also relatively cluttered with a pedestrian crossing, traffic lights and railings. It is considered that the mast would not look out of place within this environment.

HIGHWAY IMPLICATIONS

4.10 Concerns have been raised that the mast and equipment would be within the sight lines of motorists turning into Pinelands Way from Hull Road. However, the equipment is set some way back from the kerb and it is considered that there would be adequate visibility beyond the equipment to be able to see approaching traffic from the west.

PRINCIPLE

4.11 The NPPF advocates site sharing. The mast will be shared by Vodafone and Telefonica UK and is required in order to fill a gap in the existing coverage.

As part of the submission the applicant has identified five alternative sites which were considered. All five were dismissed as they would not provide the cover necessary, there was inadequate space within the site identified to accommodate all of the equipment or the mast would have resulted in an unacceptable visual intrusion. In terms of any health concerns, the application is accompanied by a Declaration of Conformity confirming that the installation meets International Commission guidelines for public exposure to non-ionising radiation.

5.0 CONCLUSION

5.1 It is considered that the visual impact of the proposed mast is acceptable and would not have any detrimental impact upon the character of the area or highway safety and as such no objections are raised.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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