

COMMITTEE REPORT

Committee: East Area
Date: 9 April 2009

Ward: Hull Road
Parish: Hull Road Planning Panel

Reference: 09/00402/TCMAS
Application at: Bus Shelter Adjacent 289 Hull Road York
For: Telecommunications installation including 12m high pole with 3no antenna (perpendicular design with overall height of 14.2 m) and associated ground equipment (revised mast design)
By: Vodafone Ltd
Application Type: Telecommunication Mast Notice
Target Date: 3 May 2009

1.0 PROPOSAL

1.1 This is an application for prior notification under the terms of Part 24 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), seeking a decision as to whether approval of siting and appearance is required for a telecommunications base station, and for that approval to be granted.

SITE

1.2 The site is located adjacent to the northern outbound section of Hull Road, which is dual carriageway at this point. The equipment would be positioned within the grassed verge at the back of footpath. There is a hedge and trees within the grassed verge north of the site. Other street furniture includes a bus stop to the east at a distance of approx. 18.5m and regularly positioned 10m high street lamps. The properties on either side of Hull Road are predominantly residential. The nearest residential properties - a mixture of bungalows and houses - are located approx. 20m to the north of the site and are accessed by a separate roadway, also known as Hull Road. No. 289, which is a bungalow, is occupied by a doctor's surgery. There are retail/commercial units and Archbishop Holgates School located to the south-west of the site on the south side of Hull Road and Osbaldwick Primary School to the north-west.

PROPOSAL

1.3 The equipment would comprise a 12m high streetworks type perpendicular pole structure with antennas contained within the upper portion of the tower (overall height of mast 14.2m) and two equipment/electrical cabinets. The equipment is proposed to be colour finished grey.

1.4 The application is accompanied by a Design and Access Statement and a supporting statement, which includes details of the operational context, details of siting and design, alternative discounted sites and a Declaration of Conformity with the International Commission on Non-Ionising Radiation Protection Public Exposure Guidelines (ICNIRP Certificate). The context is that the 3G technology proposed,

which provides multimedia and internet data access, operates at a lower power capacity with limited coverage areas than its 2G technology predecessor. As a result, more base stations are required to provide an effective network with the average cells being required to be located between 500-1000m of each other within urban areas. The equipment is proposed to be located on a main arterial route as far from residential properties as practical, with its design intended to reflect that of existing street lighting columns. The equipment has been limited to a minimum operational size. Eight other sites were considered and discounted for being either too far from the search area, due to physical constraints or a negative response received from the landowner.

HISTORY

1.5 Pre-application consultation was undertaken by the agent for the code systems operator with the Council, including Ward Councillors and the Osbaldwick Parish Council. This highlighted that the traffic light rating for this proposal (which represents the sensitivity of a proposed site for consultation purposes) was red. As a result, additional consultations were undertaken with local residents of Hull Road and local schools.

1.6 No objections were raised by the Local Planning Authority in 2005 to a prior notification application by T-Mobile for a 3G telecommunications base station on the south side of Hull Road opposite 273 Hull Road. This was for a 12m high mast designed to look like a telegraph pole and associated equipment cabinets. No reference has been found at the time of writing for a planning or prior approval application that was refused for a site on the south side of Hull Road.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary : York City Boundary 0001

DC Area Teams : East Area (1) 0003

2.2 Policies:

CYGP1
Design

CYGP20
Telecommunication developments

3.0 CONSULTATIONS

INTERNAL

3.1 Highway Network Management - No objections.

EXTERNAL

3.2 In addition to consultation with the relevant parish council, letters were sent to local residents/occupiers to the north and south of Hull Road, and three site notices were posted around the adjacent streets. The consultation period expires on 3 April 2009. The following comments have been received:

3.3 Osbaldwick Parish Council - No response received at time of writing.

3.4 Local residents - Six letters from local residents have been received, with copies of a petition of 48 signatories sent to the applicant's agent, objecting on following grounds:

- health risks;
- need for 3G coverage;
- residential area, close to houses, doctor's surgery and schools;
- mast of this height will be an eyesore/unsightly;
- no amount of camouflage will disguise it;
- will other companies be seeking masts in area_;
- suggest erect mast further east near Petrol station/B_Q;
- application for mast on opposite side of road turned down 2 years ago.

4.0 APPRAISAL

4.1 This notification is seeking a decision before installing the proposed base station as to whether approval of siting and appearance of the development is required.

POLICY CONTEXT

4.2 The relevant national policy guidelines are set out in Planning Policy Guidance Note 8: Telecommunications (PPG8), August 2001. It explains permitted development rights for telecommunications equipment, the prior approval procedure for such equipment and gives advice on environmental considerations, including mast/site sharing. Annex 1 gives guidance on the factors to be considered concerning siting and appearance. It states that 'protection from visual intrusion and the implications for subsequent network development will be important considerations in determining applications'. It encourages authorities and operators to find appropriate sites and use sympathetic design to minimise the impact of development on the environment. Authorities are required to take account of the special siting needs of code operators.

4.3 It also gives advice on health considerations. It states that 'it is the Government's firm view that the planning system is not the place for determining health safeguards...if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them'.

4.4 Policies GP1 (Design) and GP20 (Telecommunications Development) of the Council's Draft Local Plan are also considered to be material to the determination of

this prior approval application. In particular, Policy GP20 reflects national advice contained in PPG8, in that it encourages mast sharing, the minimisation of visual intrusion and proliferation, seeks to avoid any adverse effect on the character of the area or historic character of the City and requires equipment to meet the latest Government guidelines.

SITING AND APPEARANCE

4.5 The main considerations are siting and appearance.

4.6 The supporting statement and supplementary information submitted with the application includes details of the site selection process. This states that the industry's site database was checked for suitable sites as well as a physical search undertaken. A list of alternative sites, considered and discounted by the applicant, has been submitted. The search area covers a largely residential area, with Hull Road cutting across the southern part of it.

4.7 Paragraph 13 of Annex 1 of PPG8 states that factors concerning siting may involve:

- the height of the site in relation to surrounding land
- the existence of topographical features and natural vegetation
- the effect on the skyline or horizon
- the site when observed from any side
- the site in relation to areas designated for their scenic or conservation value
- the site in relation to existing masts, structures or buildings, including buildings of a historical or traditional character
- the site in relation to residential property, and
- any other relevant considerations

4.8 The site is located adjacent to a main arterial route into and out of the City, which is not Green Belt or within a conservation area. The base station would be located at the back of footpath, separated from the houses and doctors surgery to the north by trees, hedging, a grassed verge and access road, and at a distance of approximately 19m to the front boundaries of these properties. Its proposed location adjacent to the road verge in line with street lighting columns and with a backdrop of the trees, has been chosen to lessen its visual impact, particularly when viewed from the residential properties to the north.

4.9 The design of the mast has been revised from a standard mast to one with a perpendicular design, where the antennae are incorporated into the upper portion of the tower. Its design is intended to be similar to street lighting columns to help it blend into the street scene. The proposed grey colour finish of the mast would help lessen its visual intrusion and would be in-keeping with street lighting columns, though the applicant has confirmed that it could be painted any colour. However, the mast would still be higher by 4.2m and have a larger diameter than the columns.

4.10 The applicant was approached about the possibility of reducing the height of the mast and amending the design of the mast so that it takes the appearance of a telegraph pole or more slender structure with integrated antennas. This is taking

account of the prior approval application by T-Mobile in 2005 for a telegraph pole. This has been considered and the technical feasibility investigated. The use of a replica telegraph pole is considered unsuitable for this location for technical reasons and a reduction in height would result in the need for an additional installation to the north to compensate for a lower coverage.

4.11 In light of the above, it is considered that the proposed site is the best option within the coverage area specified by the code operator and that the revised proposals represent the best technical option that would have the least minimal visual intrusion in the area.

HEALTH CONSIDERATIONS

4.12 The applicant has certified that the proposed equipment and installation is designed to be in full compliance with the requirements of the ICNIRP Public Exposure Guidelines on radio frequency. Therefore, in accordance with PPG8 and in the absence of any special indication otherwise, it is not necessary to consider further the health aspects of the proposed development. No objection can be made on health grounds.

NEED/COVERAGE AREA

4.13 With regards 'need', the applicant has submitted a supporting statement that refers to the operational requirement for the base station within this locality. The operator is targeting a coverage area that includes primarily residential properties extending north to Osbaldwick village, east to Tranby Avenue, south to Deramore Drive and west to Broughton Way. Within this target area, parts have limited or no 3G reception. Following pre-application consultation with local residents, an alternative site away from residential properties, on the section of Hull Road near B&Q, was considered but discounted as it was too far east of the search area and would not provide the requisite coverage to the intended target area. All other areas within the search area are close to residential properties.

5.0 CONCLUSION

5.1 Based on Central Government guidance in PPG8, the only matters material to the consideration of this application for prior approval are siting and appearance. The search area for the proposed base station is largely residential. This is considered to be the best location with the best technical solution in terms of impact on local residents and visual intrusion. As such, and as an ICNIRP Certificate has been submitted, no objections are raised to the proposal.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: No Objections

7.0 INFORMATIVES:

Notes to Applicant

1. In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to siting and appearance. As such the proposed development accords with Planning Policy Guidance Note 8: Telecommunications and the City of York Draft Local Plan policies GP1 and GP20.

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