

5k 3/11/0763/PT – Installation of an 11.8 metre high street furniture telecommunication column, one ground based equipment cabinet and one 1 metre high pillar at Land adjacent to Mathams Drive, Villiers-Sur-Marne Avenue, Bishop’s Stortford for Telefonica 02 UK Ltd

Date of Receipt: 04.05.2011

Type: Prior Notification

Parish: BISHOPS STORTFORD

Ward: BISHOPS STORTFORD - CENTRAL

RECOMMENDATION

That subject to no new substantive issues being raised during the consultation period, authority be delegated to the Director of Neighbourhood Services that prior approval is required and **GRANTED** subject to the following conditions:

1. Prior to the commencement of the development hereby approved, details of the colour of the installation shall be submitted to and approved in writing by the Local Planning Authority,

Reason: In the interests of the appearance of the development.

Directives:

1. Other legislation (01OL)
2. Highway Works (05FC)

_____ (076311PT.FM)

1.0 Background

- 1.1 The site is located on the western edge of the settlement of Bishop’s Stortford, wherein in principle there is no objection to development. This proposal seeks approval to construct an 11.8 metre high mast, located on a grass verge, sited 7.7 metres from the edge of the highway between the entrances to Mathams Drive and Goodwin Stile, to the west of Villiers-Sur-Marne Avenue.
- 1.2 To the west of the site lie residential properties in Mathams Drive and to the east of the site lie the residential dwellings in The Meadows. The closest schools to the application site are Manor Fields Primary (approximately 430 metre distance) and Richard Whittington Primary (approximately 460 metre distance).

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- 1.3 As already outlined, this application is for the erection of telecommunications infrastructure, comprising an 11.8 metre high street furniture column and antenna with one ground equipment cabinet and one 1 metre high pillar. The proposed equipment cabinet would be sited 7.7 metres from the highway and would be sited within 1 metre of the proposed mast. The proposed cabinet, pillar and mast would both be painted green.
- 1.4 The applicant has commented in their submission that the proposed column would provide support for Vodafone antennas. It is stated that the site is required for a new 3G Vodafone installation that would improve coverage within Bishop's Stortford. It is further outlined that the cell search areas are extremely constrained, with a typical cell radius of approximately 250 metres which means that it would not be possible to site the column outside of this location.
- 1.5 The mast falls within the limits of 'permitted development', and as such does not require planning permission. However, the prior approval of the Local Planning Authority is required for the siting and appearance of the development proposed. A determination on prior approval applications must be made within 8 weeks of submission, in this case by 28 June 2011, or the installation can proceed by default.

2.0 Site History

- 2.1 There is no planning history to the site.

3.0 Consultation Responses

- 3.1 County Highways comment that the proposed scheme is acceptable in a highway context and that they do not wish to restrict the grant of permission subject to a condition relating to the submission of a Health and Safety Plan to illustrate how the applicant intends to install and maintain the column and to ensure that the highway is not obstructed by parked maintenance vehicles.

4.0 Town Council Representations

- 4.1 Bishop's Stortford Town Council object to the application and comment that they encourage masts to be shared before a new application is considered. BSTC further raise concerns that the proposed mast would be detrimental to the street scene, being intrusive and elevated above surrounding vegetation.

5.0 Other Representations

5.1 The application has been advertised by way of press notice, site notice and neighbour notification. At the time of writing this report 21 letters of representation have been received, 20 objecting to the proposal, the contents of which can be summarised as follows:

- The mast will add an undesirable industrial element to an area which is predominantly residential;
- The mast would look out of character as it is significantly higher than any street furniture and trees on the road;
- The mast would be visible from a number of family homes in Mathams Drive and The Meadows and would represent a hard, physical and dominating intrusion on neighbours aspect and view;
- There are other more suitable sites, away from residential properties that the applicant has not fully explored;
- Mobile reception is fine so there is no need for the mast;
- Health concerns – close to houses;
- Would result in a loss in property value.

One letter in support of the proposal has also been received. This outlines that better reception is needed within the area.

6.0 Policy

6.1 The relevant Local Plan policies in this application include the following:-

ENV1 Design and Environmental Quality
ENV28 Telecommunications

7.0 Considerations

Principle of development

7.1 As mentioned previously, the proposed mast constitutes 'permitted development' not requiring planning permission but the Councils approval is required as to its 'siting and appearance'. The application is supported by technical guidance which explains that the existing Vodafone signal strength is insufficient to support network requirements in this area. PPG8 states that the Government's policy is to facilitate the growth of new and existing telecommunication systems, and it goes on to state that authorities should not seek to prevent competition between different operators and should not question the need for the telecommunications system which the proposed development is to support. It is noted that representations have been received from local

residents which query the need and justification for the mast, commenting that there is already adequate mobile coverage and several masts within the locality. The application has, however, been supported by evidence to demonstrate the need for the required coverage, and having regard also to the wording of PPG8 it is the opinion of Officers that there should be no objection in principle to the proposed installation.

- 7.2 Officers note the concerns raised by third parties in relation to the siting and appearance of the proposed mast. Although the proposed mast would be visible from the street scene, it would be sited 7.7 metres from Villiers-Sur-Marne Avenue, would retain some 12 metres to the entrance of Mathams Drive and would be set against a backdrop of mature trees and landscaping, approximately 7 metres in height. Taking this into account, Officers do not consider that the proposal would unacceptably appear dominant, intrusive or out of keeping with the general character and appearance of the street scene and would not appear out of character with the design, scale and amount of existing installations and buildings in the locality. It is noted that the only other pieces of street furniture sited on this existing spacious grass verge is a small litter bin and road sign. It is therefore considered that the proposed mast and associated equipment would not result in visual clutter and would accord with Policies ENV1 and ENV28 of the Local Plan.

Alternative Sites

- 7.3 The applicant has submitted details of the site selection process which outlines the alternative sites which have been considered, and why these have not been chosen. The alternative sites were not considered to be appropriate because none of the existing structures within the immediate locality can be shared. Officers are satisfied that other sites have been fully explored and justifiably discounted. It is also considered that the application site is the most likely to meet the needs of the applicants and their obligations regarding network coverage.
- 7.4 In considering alternative sites it should also be noted that PPG8 states that the sharing of masts and sites is strongly encouraged where that represents the optimum environmental solution in a particular case. As outlined above, the applicant has investigated alternative sites, and Officers are satisfied that in this instance a mast share option or an alternative site to the application site would not be a appropriate solution to provide for the identified operator coverage need.

Impact on neighbour amenity

- 7.5 It is noted that there have been objections from local residents on the grounds of potential hazards to health due to the location of the mast in relation to residential homes. The applicants have submitted the relevant

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required certificate to confirm that the installation complies with the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines in this case.

- 7.6 Whilst the concerns raised by local residents are noted, advice in PPG8: Telecommunications is that, if the proposed mobile phone base station meets the ICNIRP guidelines for public exposure to radio waves, it is not necessary for a Planning Authority to consider further the health aspects of the proposal. Having regard to this; that there is little evidence to support local fears and that the emissions from the mast would be well within the ICNIRP guidelines, it is considered that it would be unreasonable to refuse approval on this ground.
- 7.7 Furthermore, it is considered that the mast is located a satisfactory distance from nearby properties so as not to appear intrusive when viewed from these properties. The mast is proposed to be located approximately 14 metres away from the rear building line of the nearest property and will be partially obscured from view by the existing mature landscaping along Villiers-Sur-Marne and along the rear boundary of several properties within Mathams Drive. Having regard to this distance and the existence of approximate 7 metre high landscaping, it is considered that the mast would not result in any significant harm to the visual amenities of nearby residential properties to warrant refusal of the application.
- 7.8 It is noted that County Highways have commented that a condition should be attached to any approval to require a Health and Safety Plan to be submitted, to outline how the mast is to be installed and maintained. Having regard to the tests set out in Circular 11/95, Officers do not consider that it would be necessary for such a condition to be attached to any approval. Separate approval will be required from the Highway Authority for any works which are to occur on the highway, and if it is considered to be necessary for such a plan to be submitted, the Highway Authority could request it outside of the planning process.

8.0 Conclusion

- 8.1 To conclude, it is the opinion of Officers that there is no objection in principle to the siting of a mast in this location or to its appearance. The proposed column would not result in any significant detrimental impact upon the character and appearance of the locality, the street scene or local residents' amenity. Having regard to these considerations it is therefore recommended that prior approval be granted subject to the condition referred to at the head of this report.