

Report for Resolution

Report to Planning Applications Committee
Date 9 February 2012
Report of Head of Planning Services
Subject 11/02199/T Proposed Telecommunications Cabinet at
Corner of Osborne Court and Lime Tree Road Norwich

Item
5(3)

SUMMARY

Description:	Installation of dark green cabinet (W) 750mm x (D) 374mm x (H) 1408mm.	
Reason for consideration at Committee:	Objection	
Recommendation:	APPROVE with Conditions	
Ward:	Town Close	
Contact Officer:	Miss Jane Barker	Senior Planning Technical Officer 01603 212168
Valid Date:	5th January 2012	
Applicant:	Openreach	
Agent:	Regina Watson	

INTRODUCTION

The Site

Location and Context

1. The site is located on the south side of Newmarket Road close to its junction with Lime Tree Road and residential properties in Osborne Court. This is a residential area comprising mostly of detached houses and some flats. The Norwich High School for Girls is situated across Newmarket Road on the north side; with the school building being set back from the road and surrounded by its playing fields.
2. Newmarket Road (A11) is one of the main routes into Norwich from the Outer ring road. The site is close to a pedestrian crossing which has a staggered pedestrian island situated in the middle of Newmarket Road. To the west of the site there is a crossroads junction to Lime Tree Road and Christchurch Road which is controlled by traffic lights. There already exists 2 no. BT equipment cabinets in Lime Tree Road. In close proximity to the site there is a 'No Cycling' sign on a short wooden post. There is also a mature Lime Tree situated on the verge nearby.

Constraints

3. The site lies within the Newmarket Road Conservation Area.

Planning History

There is no previous planning history.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

4. The proposal is for the installation of 1 no. DSLAM telecommunications equipment cabinet painted dark green with ant-fly-posting paint; 750mm wide; 374mm deep and 1408mm high. The cabinet is not associated with an antenna or mast. The installation of the cabinet is required as part of a programme being undertaken by BT to improve Broadband speeds.

Representations Received

5. The application has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing including The Norwich High School for Girls. One letter of representation on behalf of Osborne Court Residents Association has been received citing the issues as summarised in the table below.

6.

Issues Raised	Response
Proposed site is situated in Newmarket Road and not Lime Tree Road.	The application form and associated documents all clearly state the address as Osborne Court, Lime Tree Road, Newmarket Road.
The site proposed for the equipment cabinet on the footway is near to a blind corner and is a hazard for pedestrians, including school children of nearby schools, mothers with prams, the elderly and cyclists.	See paragraphs 17 and 18. The Norwich High School for Girls has been consulted on the proposal; we have received no representations from the School.
Concerned about amount of street furniture within a small area, although the footway is clear of physical obstructions. Street furniture cluttering the highway should be avoided.	See paragraphs 12 to 18.
Suggestion that a more suitable site would be the grass verge in Lime Tree Road opposite existing cabinets.	See paragraphs 12 to 18.
Concerned about maintenance of low wall and hedge forming boundary of	See paragraph 20.

Consultation Responses

7. Transportation: No objections on Transportation grounds. The proposed Broadband box is proposed to be sited at the back of the pavement on Newmarket Road where it will not cause an obstruction or road safety risk to pedestrians. It would have been preferable for the box to be located nearer to the existing BT cabinets in Lime Tree Road, however, BT have confirmed that this option is not technically possible due to the maximum length of cables being 45 m and BT considers this location to be the best location to meet the broadband and power supply requirements.
8. Tree Protection Officer: The proposed works have the potential to damage Council-owned trees through root severance when excavating the cable trenches. Would insist upon contractors carrying out the work in accordance with guidelines as detailed in The National Joint Utilities Group (NJUG) guidelines concerning The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees. The Arboricultural department would also like to be informed when the work is due to start.
9. Design and Conservation: No comment.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPG8 - Telecommunications

PPS5 - Planning for the Historic Environment

Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

Policy ENV6 - The Historic Environment

Policy ENV7 - Quality in the Built Environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 2 - Promoting Good Design

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 - Development in Conservation Areas

HBE20 - Telecommunications

TRA14 - Safe Pedestrian Routes

Written Ministerial Statement: 23 March 2011: Planning for Growth

Support of enterprise and sustainable development.

Principle of Development

Policy Considerations

10. PPG8 states The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a

minimum. Each telecommunications system has different antenna types, siting needs and other characteristics. Planning authorities should have regard to any technical constraints on the location and proposed development. Saved policy HBE20 seeks that the visual impact of telecommunications development shall be minimised as much as possible and that the amenity of adjoining uses and their sensitivity are taken into account.

11. This application is for the prior approval of a Digital Subscriber Line Access Multiplexer (DSLAM) telecommunications equipment cabinet which has the benefit of permitted development as the cabinet installation is not proposed to support a monopole or antenna. In other words Telecommunications code operators (BT in this instance) have permitted development rights to install equipment cabinets but they must give the Council the opportunity, before they install them to comment on the siting and design of the cabinet. Therefore, consideration can only be made in respect of its siting and appearance. There is also no requirement for an International Commission on Non-Ionizing Radiation Protection (ICNIRP) Compliance Certificate for this proposal (as there is for antenna)

Conservation Area – Impact on Setting

12. PPS5 designates Conservation Areas as 'Designated Heritage Assets' and as such they are afforded protection under policy HE9 of the PPS. The Policy states that 'There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater this presumption should be. Significance can be harmed or lost through alteration of the heritage asset or development within its setting'. There are considered to be two levels of harm; total loss or significant harm, and harm. Sub policy HE9.4 states that where a proposal has a 'harmful impact' on the significance of the heritage asset, which is less than significant harm, local planning authorities should: (i) weigh the public benefit [...] against the harm; (ii) recognise that the greater the harm to the significance of the heritage asset, the greater the justification will be needed for any loss'. This advice is also promoted in policies ENV6 and ENV7 of the East of England Plan and Policy 2 of the Joint Core Strategy which seek to ensure development will be designed to the highest possible standards and respect local distinctiveness, including designing out crime. Saved policy HBE8 of the City of Norwich Replacement Local Plan provides a basis for control of development within Conservation Areas.
13. It is proposed to site the DSLAM equipment cabinet on the rear of the footpath close to a dwarf brick wall and hedge in Newmarket Road near to its junction with Lime Tree Road. Osborne Court which comprises of residential flats situated within its own landscaped grounds of grass and mature trees, is situated to the rear of the site and at the corner of Newmarket Road and Lime Tree Road.
14. There is already existing street furniture in the immediate area with the pedestrian crossing on Newmarket Road and traffic lights at the junction with Newmarket Road, Lime Tree Road and Christchurch Road. A "Newmarket Road" name sign is positioned on the footway near the verge closer to the corner with Lime Tree Road and there is a small wooden post with a 'No Cycling' sign on it also on the footway close to the verge.
15. There are two no. existing BT equipment cabinets on the opposite side of Lime Tree Road near to its junction with Newmarket Road. It is not possible to install the DSLAM equipment cabinet near these existing cabinets as the cable needed can

be only 45 m from the power supply. It is proposed to have new ducting at the corner of Newmarket Road and Lime Tree Road.

16. It is proposed to paint the cabinet a dark green with anti-fly-posting paint; thus ensuring the cabinet blends in with the hedge, verge and other immediate surroundings within the Conservation Area and therefore it is not considered that the cabinet will cause significant 'harm' to the Designated Heritage Asset, or be visually detrimental to the area.

Pedestrian Access

17. Saved policy TRA14 seeks to ensure the quality of the existing pedestrian environment will be enhanced by designs which keep pavements and other pedestrian routes free from obstructions and the development of a network of safe (and signed) pedestrian routes which link residential areas with work, school, shopping and leisure destinations, as well as recreational walks to create a pedestrian environment that is, and is perceived to be, safe and accessible to all.
18. The existing path width is approximately 3 m. Taking into consideration the depth of the cabinet; the path width would be no less wide than 2.6 m. This is considered sufficient in order to enable safe, distraction free pedestrian routes. As the equipment cabinet would be sited at the rear of the pavement; it will not cause obstruction or hazard to pedestrians, including anyone walking with prams.

Trees and Landscaping

Impact on Trees

19. The proposed location of the DSLAM equipment cabinet has potential to damage trees through root severance when excavating the cable trenches. The installation of the proposed cabinet should be carried out under guidance as detailed in The National Joint Utilities Group (NJUG) guidelines concerning The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees, a condition to this effect should be applied to any permission granted.

Hedge Maintenance

20. The proposed location for the DSLAM telecommunications equipment cabinet is adjacent to a low brick wall and holly hedge which forms the boundary of Osborne Court. Whilst the cabinet is very close to this boundary there is considered to be sufficient room for trimming/pruning of the hedge and minor repairs to the wall. This is not an uncommon position as can be seen in examples of other cabinets across the City and indeed immediately around the corner on Lime Tree Road, adjacent to the boundary of 98 Newmarket Road.

Conclusions

21. The siting and design for the DSLAM telecommunications equipment cabinet and associated development has taken account of its surroundings within the Conservation Area (subject to the technical limitations associated with the installation of the cabinet). Subject to compliance with conditions in terms of protection for the existing mature tree roots, it is considered to be acceptable and in keeping with the existing street furniture; wider streetscene and Conservation Area. Therefore, the proposed DSLAM telecommunications equipment cabinet is

considered acceptable in this location and accords with the criteria of PPG8; PPS5; Policies ENV6 and ENV7 of the East of England Plan; Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and saved policies HBE8; HBE20 and TRA14 of the City of Norwich Local Plan (Adopted Version November 2004) and all material considerations due to the limited visual impact of the development and its acceptable appearance.

Reason for Approval:

22. The siting and design for the DSLAM telecommunications equipment cabinet and associated development has taken account of its surroundings within the Conservation Area (subject to the technical limitations associated with the installation of the cabinet). Subject to compliance with conditions in terms of protection for the existing mature tree roots, it is considered to be acceptable and in keeping with the existing street furniture; wider streetscene and Conservation Area. Therefore, the proposed DSLAM telecommunications equipment cabinet is considered acceptable in this location and accords with the criteria of PPG8; PPS5; Policies ENV6 and ENV7 of the East of England Plan; Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and saved policies HBE8; HBE20 and TRA14 of the City of Norwich Local Plan (Adopted Version November 2004) and all material considerations due to the limited visual impact of the development and its acceptable appearance.

RECOMMENDATIONS

To APPROVE application number 11/02199/T and GRANT PRIOR APPROVAL subject to the following condition and Informatives:

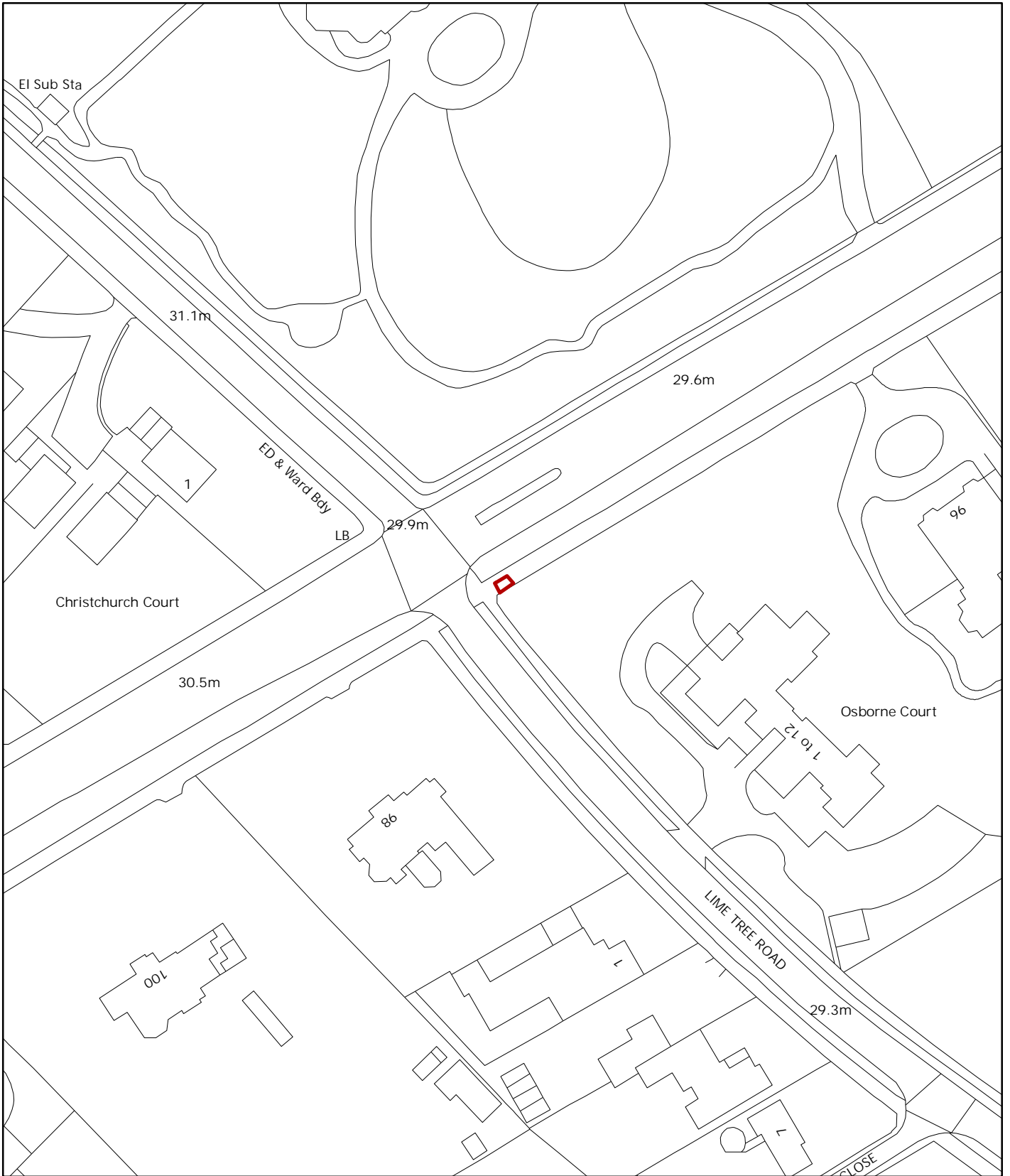
Condition:

(1) Operations on site shall take place in complete accordance with the guidelines as detailed in the NJUG Guidelines: The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees.

Informatives:

(1) No works of any kind shall take place on the site until a pre-trenching site meeting between the developer's appointed consulting arborist, site agent and the Council's tree protection officer has taken place. The development shall be carried out in accordance with the details agreed at the meeting. Minutes of the meeting shall be produced and submitted to the local planning authority within one week of the meeting taking place.

(2) No new services, unless otherwise specified on the approved drawings, shall be sited within the root protection areas.



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Planning Application No 11/02199/T

Site Address Proposed telecommunication cabinet. Corner of Osborne Court & Lime Tree Road

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES

