

Planning Applications Committee
2 April 2009
Section C

Agenda Number:	C3
Section/Area:	OUTER
Ward:	UNIVERSITY
Officer:	Elizabeth Franklin
Valid Date:	19th February 2009
Application Number:	09/00132/T
Site Address :	Verge Adjacent To And East Of Dairy Depot Earlham Green Lane Norwich
Proposal:	Installation of 12m tall mock telegraph pole with single equipment cabinet located at pole base.
Applicant:	Orange PCS Ltd
Agent:	Godfrey-Payton

THE SITE

The site is located on the west side of Earlham Green Lane on a grassed verge between the footpath and a wall with railings above, that provides the boundary to the dairy depot. Beyond that, and within 5 metres of the site, is the side gable wall for the dairy depot. On the opposite side of Earlham Green Lane the nearest dwelling is approximately 20metres from the site.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

THE PROPOSAL

The proposal is for the installation of a 12m tall mock telegraph pole type telecommunications monopole incorporating antennas, and with a single equipment cabinet, painted dark green, and located at the base of the pole.

CONSULTATIONS

The application has been advertised on the site, in the press, and neighbours have been consulted. To date fourteen letters of representation have been received and comments are:

- Concern for health;
- Unsightly;
- What is the need?

PLANNING CONSIDERATIONS

Relevant National Policy:

PPG8 – Telecommunications;

Local Plan Policies:

HBE20 – Telecommunications Development.

This application is for the prior approval of the mast as it has the benefit of permitted development due to its height being less than 15metres, and therefore consideration can only be made in respect of its siting and appearance.

In the immediate surrounding area there is an abundance of street furniture, with street lighting columns approximately to 9metres and telegraph poles to 10metres. The nearest lighting column is approximately 5 metres to the north. Although to 12metres in height, this mock telegraph pole would not be out of keeping with those surrounding the site. It is located in a grassed verge close to a commercial site where the ridge of the wall of the dairy depot is 9.5metres high. The site will not be overlooked by residential properties. The trees to Old House Plantation are close by to the north west and these will provide a further vertical element in the surrounding area.

A recent decision made by the Planning Inspectorate in respect of an appeal by Vodafone 50metres away on land at Old House Plantation on Cunningham Road is attached for information.

The applicant's agent has considered alternative sites and has discounted them for a variety of reasons, most of which are the proximity to residential properties and schools.

An ICNIRP compliance certificate has been submitted with the application, and it is the Government's firm view that the planning system is not the place for

determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, 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 prior approval, to consider further the health aspects and concerns about them.

RECOMMENDATIONS

GRANT PRIOR APPROVAL without conditions.



Appeal Decision

Site visit made on 18 February 2009

by **P A Goodman** BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
12 March 2009

Appeal Ref: APP/G2625/A/08/2091777 Cunningham Road, Norwich NR5 8HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
- The appeal is made by Vodafone Ltd against the decision of Norwich City Council.
- The application Ref 08/01001/T, dated 15 September 2008, was refused by notice dated 29 October 2008.
- The development proposed is the erection of a 10m imitation telegraph pole supporting shrouded antennas, with an equipment cabinet and electricity meter cabinet at its base.

Decision

1. I allow the appeal, and grant approval for installation of telecommunications equipment comprising the erection of a 10m imitation telegraph pole supporting shrouded antennas, with an equipment cabinet and electricity meter cabinet at its base, on land at Cunningham Road, Norwich NR5 8HA in accordance with the terms of the application Ref 08/01001/T, dated 15 September 2008, and the plans submitted therewith listed as follows: VF/49977/A3/2022/3823-01 rev A; - 02 rev A; - 03 rev A.

Main issue

2. The main issue is the impact of the development on the streetscene and the appearance of the locality.

Reasons

3. National guidance in PPG8, and adopted and saved local plan policy HBE20 are supportive of necessary telecommunications development, subject to environmental harm being minimised by careful site selection, and by mast and site sharing where possible, having regard to the operator's technical requirements.
 4. The appeal site comprises a grassed highway verge adjoining an informal amenity space in a residential suburb west of the city's inner ring road and north of the University of East Anglia. Immediately south of the wooded open space is a dairy depot and an electrical substation, while to the north side of the road is a larger wooded open space which enjoys informal public access. The nearest houses are about 45m away to the east and west.
 5. The proposed 10m pole would be sited on the south side of Cunningham Road about 35m from its junction with Earlham Green Lane. The pole would be topped by shrouded antennas to an overall height of about 11m.
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An associated equipment cabinet and electrical feeder pillar would be sited in line with the pole and set back from the highway footpath by about 1.5m.

6. The appellant has supplied evidence in relation to the technical need for the development in line with its licence obligations to provide mobile media services. The coverage plots accompanying the appeal show a need to provide improved 3G signal coverage to people living and working in and around the western suburbs and university area of Earlham and travelling along the B1108. The need for the installation has not been challenged and the Council has not provided evidence of any reasonable possibility of utilising existing masts or structures or other alternative sites in the locality.
7. Along Cunningham Road street lamps are generally about 6m high and there are telegraph poles about 7-8m high. The proposed mast would be a little higher than these structures, but in most views it would be seen against the backdrop of mature, deciduous trees some 12-20m high on both sides of the corner of Cunningham Road and Earlham Green Lane, and of the commercial premises and substation to the south.
8. The appellant's photomontages show that in summer at least the dense foliage would ensure that the pole and the green painted equipment box would be readily assimilated into the streetscene. In winter when the leaves had fallen the equipment would be slightly more noticeable, but the timber pole and matching shrouded antennas shroud would not be noticeably different from the other items of street furniture in the immediately surrounding area. While passers-by on the highway footpath and the dirt track cut-through from Earlham Green Road would be able to see the green painted equipment box, in my opinion it would not be markedly different from other items of street furniture common to such areas including, by way of example, the nearby post office drop off box. As a result I consider that the development's visual impact on the streetscene and the appearance of the locality would be very modest.

Other matters

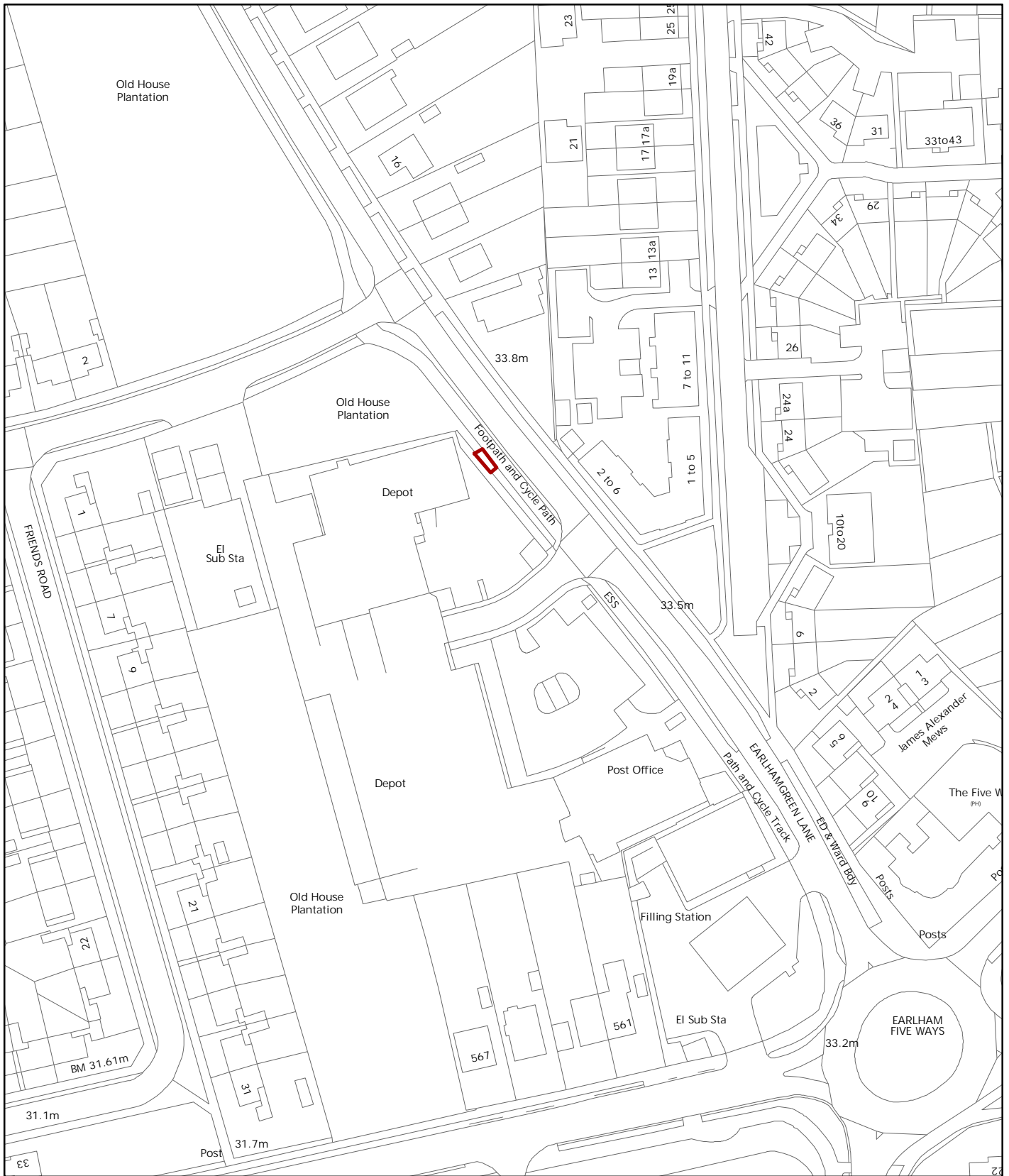
9. I note that the application was accompanied by an ICNIRP certificate. In view of the advice in PPG8 and the lack of any specific evidence to the contrary in this instance, I am satisfied that the possible health implications of electro-magnetic emissions from the base station do not need further consideration.

Conclusion

10. Overall I have come to the conclusion that the proposed development has properly balanced the operator's technical and operational requirements with the need to minimise environmental impacts and thus that it would accord with the aims of the adopted local plan policy HBE20.
11. For the above reasons, and having regard to all other matters raised, including the letters of objection from local residents, I conclude that the appeal should be allowed.

Philip A Goodman

Inspector



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Planning Application No- 09/00132/T

Site Address - Verge Adjacent to and East of Dairy Depot Earlham Green Lane

Scale - 1:1,250



NORWICH
City Council

DIRECTORATE OF REGENERATION
AND DEVELOPMENT

