

Report for Resolution

Report to Planning applications committee
Date 21 June 2012
Report of Head of planning services
Subject 12/00959/T Grass Verge South Side Of Hutchinson Road
Norwich

Item
5(1)

SUMMARY

Description:	Installation of 1 No. 11.8m high street furniture type telecommunications tower, 1 No. equipment cabinet, 1 No. meter pillar and all ancillary development thereto.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	University
Contact Officer:	Mr John Dougan Planner 01603 212504
Valid Date:	27th April 2012
Applicant:	Vodafone Ltd
Agent:	Mr Jodie Kane

INTRODUCTION

This application was originally presented for consideration at the 31 May 2012 planning committee. During that meeting the case officer and solicitor reminded members that failure to make a determination within 56 days would result in a deemed approval. Members were also advised that actual and perceived health concerns cannot be used as a reason for refusal. The application can only be assessed on the grounds of siting and appearance as stated in the National Planning Policy Framework 2012.

At the last meeting was that members wanted to defer making a decision until they could see further photos to enable them to determine level of visual impact caused by the mast.

The previous updates report circulated at that meeting has been incorporated into this revised report. The original recommendation made by officers remains unchanged.

The Site

Location and Context

1. Hutchinson Road is a mature tree lined road set in an area characterised as being residential to the north-west and an area of urban green space which is part of the Earlham Junior School. Further to the south-west lies the Earlham West Centre which contains various shops, services and a health centre.

2. The site itself is off set to the south-west of the northern entrance to Douglas Haig Road, the mast and associated equipment cabinet being positioned on the grass verge between two street trees of 9-10 metres in height and 10 metres from the entrance to the urban green space area of the school.
3. The mast and cabinet are primarily positioned on the verge being 0.6 metres from the edge of the road, with the doors of the cabinet opening out onto the public footpath. On the other side of the path is a combination of hedging, small trees and guard rails to the school playing field.

Constraints

4. None

Topography

5. The site is flat, the tower and cabinet being located on the grass verge.

Planning History

12/00959/T - Installation of 1 No. 11.8m high street furniture type telecommunications tower, 1 No. equipment cabinet, 1 No. meter pillar and all ancillary development thereto.

The applicant has submitted two previous prior approval applications (11/00082/T and 11/01106/T) both of which were refused. These related to a 14.8 metre street furniture tower on the northern edge of the Earlham West Centre roundabout (adjacent to the Shoemakers pub) and a 14.8 metre street furniture tower on a site adjacent to Rockingham Road. Key issues in each of the refusals – the tower's prominence, absence of screening and visual intrusion at the Earlham West Centre and nearby properties.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

6. The Installation of 1 No. 11.8m high street furniture type telecommunications tower, 1 No. equipment cabinet and 1 No. meter pillar.
7. This is a 3G site sharing solution for providing coverage for two operators i.e. Vodafone and Telefonica.

Representations Received

8. Advertised on site and adjacent and neighbouring properties have been notified in writing, the consultation period expired on 6th June 2012, some of which being received after this date. 10 letters of representation have been received citing the issues as summarised in the table below.
9. The application needs to be determined prior to the expiry of the site notice, ensuring that the determination happens before the expiry of the 56 day

determination period. Non-determination would constitute an automatic approval.

Issues Raised	Response
Out of scale and dominance relative to residential properties and the Earlham school	Paras 37-40
Poor design	Paras 34-36
Residential amenity	Para 16-18, 33-40
Impact on highway safety i.e. visibility and on narrow verge	Paras 26-32
Consideration of alternative sites & justification of need	Paras 13-14, 19-23
Health concerns	Paras 15-17
Does the council have a masts register?	Yes – A masts register is available for public viewing at City Hall, together with a link on the Council’s website to the Government Radio Telecommunications Agency’s website showing current masts and signal stations.
What steps have been made by the operator/authority to consult the relevant bodies?	See para 18
Surprised that these masts should even be sited in the middle of the city and close to a school	See paras 11-14

Consultation Responses

10. Local highway authority –

- Positioning of the mast and unit will make grass cutting practically impossible.
- Suggest the equipment is located on the tarmac area of the junction of Douglas Haig Close and Hutchinson Road as it is a more serviceable location

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

- Statement 5 – Supporting high quality communications infrastructure
- Statement 7 – Requiring good design

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

- Policy 1 – Achieving sustainable development

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

- HBE12 – High quality of design, with special attention to height, scale, massing and form of development
- HBE20 – Telecommunications and equipment
- EP22 – High standard of amenity for residential occupiers
- NE3 – Tree protection, control of cutting, lopping etc

Principle of Development

11. The principal of erecting a telecoms tower and adding to the UK's 3G broadband telecommunications infrastructure is considered to be acceptable as it will contribute to the ever changing economy and associated communications technology which is very much dependant on fast and efficient telecommunications infrastructure, facilitating home working and to reduce the UK's carbon footprint by decreasing the need to travel.
12. The principal of erecting such a mast is classed as permitted development under part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001 and in accordance with the electronic communications code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003.
13. Statement 5 of the National Planning Policy Framework (NPPF), which came into effect in March 2012, sets out national guidance for the development of communications infrastructure. Paragraph 43 states that 'existing masts, buildings and other structures should be used, unless the need for a new site has been justified. When new sites are required, equipment should be sympathetically designed and camouflaged where possible.
14. Paragraph 45 of the NPPF states that, applications for telecommunications development for a new mast or base station should include evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and submit a statement that certifies that International Commission (IC) guidelines would be met.
15. Paragraph 46 of the NPPF states that local planning authorities must determine applications on planning grounds. This should not question the need for the telecommunications system, or determine health safeguards if the proposal meets ICNRP guidelines for public exposure.
16. An ICNIRP declaration has been submitted with the application confirming that the proposal conforms with the required public exposure guidelines.
17. Whilst health concerns have been noted, particularly in relation to the proximity of the proposal to the playing fields at West Earlham Junior School, it is considered that, in light of government guidance, these general concerns could not justify a reason to refuse the proposal. This means that the application can only be assessed on the grounds of siting and appearance.
18. The applicant has undertaken pre-application consultations using the Mobile Operators Association 'Traffic Light Model' assigning the site as 'red'. Various persons and bodies have been consulted including ward councillors, the local MP,

West Earlham Infant School and some nearby residential properties. No responses were received.

Siting

19. The operator has identified a need to site a mast in this location using 2G and 3G coverage plots for various types of phone usage for both operators i.e. Vodafone and Telefonica which is determined by various factors such as topography and type / occurrence of ground clutter such as buildings and trees.
20. With these operational constraints in mind, coupled with planning and amenity considerations/decisions, the applicant undertook a site discounting exercise covering 20 sites, coming up with the current site as striking a balance between delivering the required coverage and the above constraints, including exploring other site sharing opportunities or non residential areas.
21. To this end, there are situations whereby telecoms towers cannot be hidden from public view and still deliver high quality broadband to residential customers or those who decide to run their business from home.
22. Given the recent planning refusals around the Earlham West Centre and the operational constraints outlined in the applicants site discounting exercise, it is considered that the applicant has went to reasonable lengths to find the most appropriate location to deliver the highest quality broadband coverage.
23. The principle of siting a mast in this location is therefore considered to be acceptable, subject to details.

Trees

24. It is anticipated that no significant impact on the route zone of the street trees will occur as the development area (tower and cabinet) is two metres away from the canopy of the nearest tree.
25. The Council's Tree Officer states that the siting of the apparatus is outside the root protection area of the adjacent street trees. Following reservations over the protection of the two trees during the construction phase, the agent has confirmed that works will take place in accordance with BS 5837 'Trees in relation to construction' and that a trial dig will take place prior to any works taking place to ensure that no conflict with underground services and root systems would occur. The Tree Officer has confirmed that this will ensure that the trees are adequately protected during construction.

Highway safety

26. Assessment of the tower and cabinet's impact should be taken in the context of the existing street scene which already has a series of streetlights situated along the grass verge. Whilst the footprint of the proposal is slightly larger (principally due to the equipment cabinet), its position reflects the positioning of the existing street furniture.
27. Maintenance of the equipment may require a vehicle to park on the side of the road for 1-2 times in the year. There is no restricted parking on this road and given the infrequent maintenance regime – no significant obstruction to traffic is expected.
28. The cabinet and tower will not have a significant impact on the visibility splays of the access to the playing fields. It is noted that the combination of the existing obstruction (street tree) and the cabinet may result in a slightly increased obstruction. However, they are 10 metres away from a junction which is only

considered to be used for maintenance purposes and not the primary access to the school.

29. No other highway safety concerns are expected. This is a straight stretch of road, with the development causing no obstruction to visibility for those accessing or exiting Douglas Haig Road.
30. Regarding the Highway authorities concerns about the impact of development on the grass cutting of the verge. The street scene already contains various street furniture, streetlights and trees, so the positioning of another item is not considered to be a significant deviation to the existing street layout.
31. Its location in the verge is also considered to be a better option than obstructing pedestrians on the footpath. The location will not make grass cutting impossible, but will instead result in a slightly altered mode of cutting to the conventional tractor mowing option. It is my view that the minimal impact on grass cutting regime is not considered to have significant enough weight to warrant recommending the application for refusal.
32. The suggested change of location cannot be considered within the confines of the current application.

Noise

33. The telecommunications masts and antennas do not make any noise. Whilst the associated equipment cabinets have a built in air conditioning system to keep internal equipment ventilated, this operates on a sporadic basis. The highest average noise level emission of a Vulcan cabinet, when measured at temperatures of 38°C is 32.4dba at a distance of 1m and decreasing with distance. Given a typical human voice is 70dba and the cabinet is 10 metres from the boundary of any residential property – this impact is considered to be insignificant.

Appearance

34. The previous applications were refused on the grounds of the tower's prominence, absence of screening and visual intrusion at the Earham West Centre and nearby properties.
35. The applicant explained that a thinner flush type tower (Saturn) could have been used but it could not accommodate two operators – which is generally the preferred outcome when it comes to new masts.
36. Both the operators (Vodafone and Telefonica) have stipulated an absolute minimum operational requirement of at least 10.4 metres to the underside of the antenna. Given these constraints, the Saturn option was discounted and viewed as the best option.

Height

37. The height of the street furniture tower has been reduced from 14.8m to 11.8m, reducing the scale and dominance of the tower. Reduction in height is only one component of assessing the appearance of the proposal.
38. The majority of street furniture towers will mean that they are visible either from the road or by nearby properties such as those on Douglas Haig Road. The key issue is how the street furniture tower sits relative to the existing built and natural environment.

Scale

39. The scale and prominence of the tower and cabinet is partially screened from the south east by the existing setting i.e. street lighting columns, 9-10 metre high trees, fencing and hedging running the boundary with West Earlham School. Whilst visible from many of the properties on Douglas Haig Road, the prominence of the tower is softened by this existing setting.
40. This means that it cannot reasonably be viewed as a significant deviation from the existing street scene. This is particularly well illustrated in the submitted photo montages of the tower when viewed from the north east and south west.

Conclusions

74. The siting of the tower in this location will deliver the required high quality coverage and not adversely impact on highway safety or the health of nearby trees.
75. Similarly, the prominence and appearance of the reduced height tower and cabinet has been partially obscured or softened by its relationship with the existing trees, street furniture and boundary treatment to West Earlham Junior School.

RECOMMENDATIONS

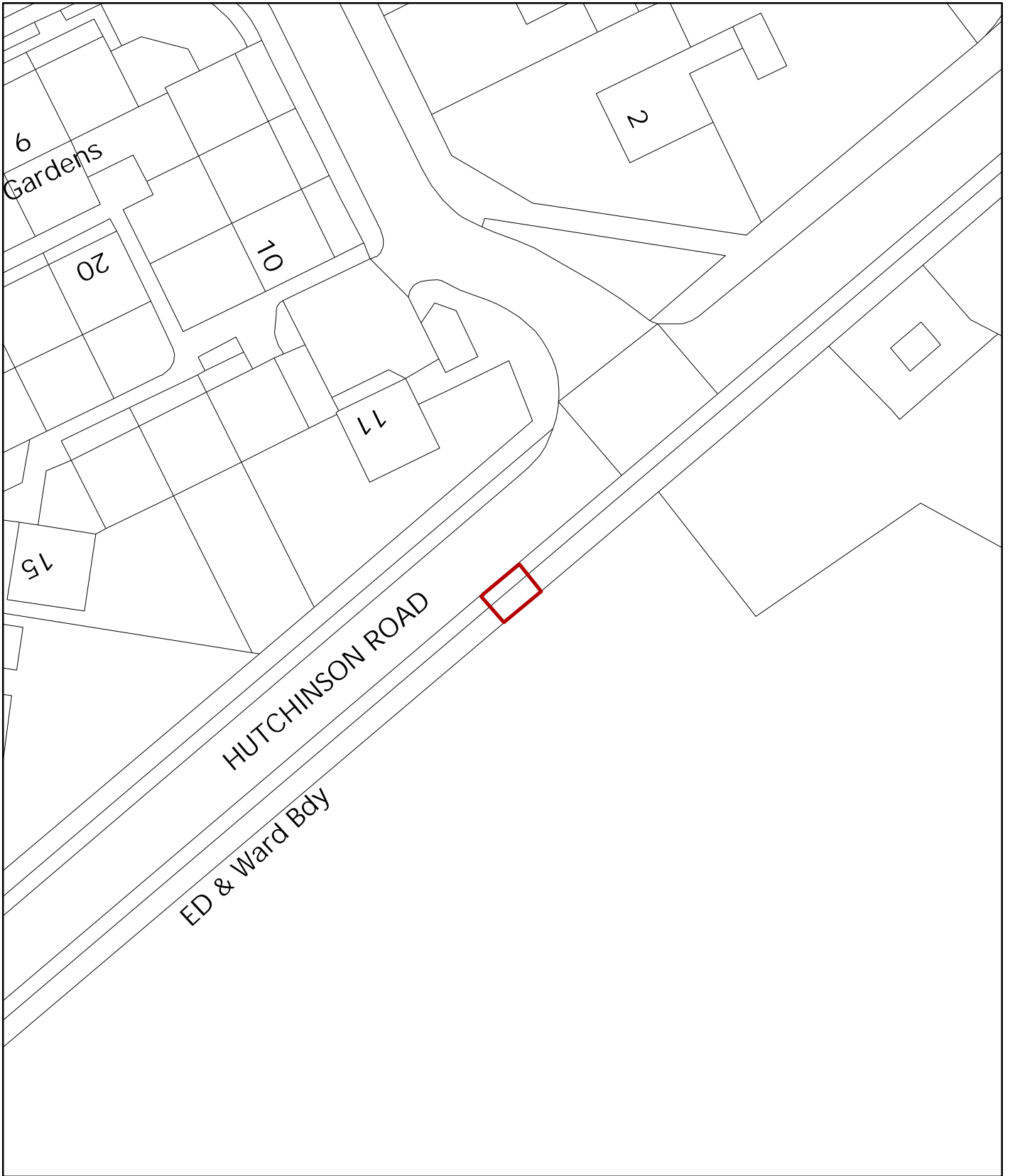
To approve prior approval application No (12/00959/T on the grass verge on the south side of Hutchinson Road).

Reasons for approval:

The siting of the tower in this location is considered to strike a reasonable balance between providing an efficient broadband service to the community/wider economy and not adversely impacting on highway safety or the health of nearby street trees.

Use of the street furniture enables an efficient use of the land by allowing a mast sharing solution, which set against the existing natural environment and street furniture, helps partially screen and soften its scale and prominence when viewed from the north west or south east.

The proposal is therefore considered to be compliant with the objectives of the National Planning Policy Framework, policy 2 of the Joint Core Strategy for Norwich, Broadland and South Norfolk 2011 and saved policies HBE12, HBE20, EP22 and NE3.



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Planning Application No 12/00959/T

Site Address Grass Verge South side of Hutchinson Road

Scale 1:500

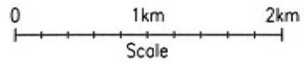
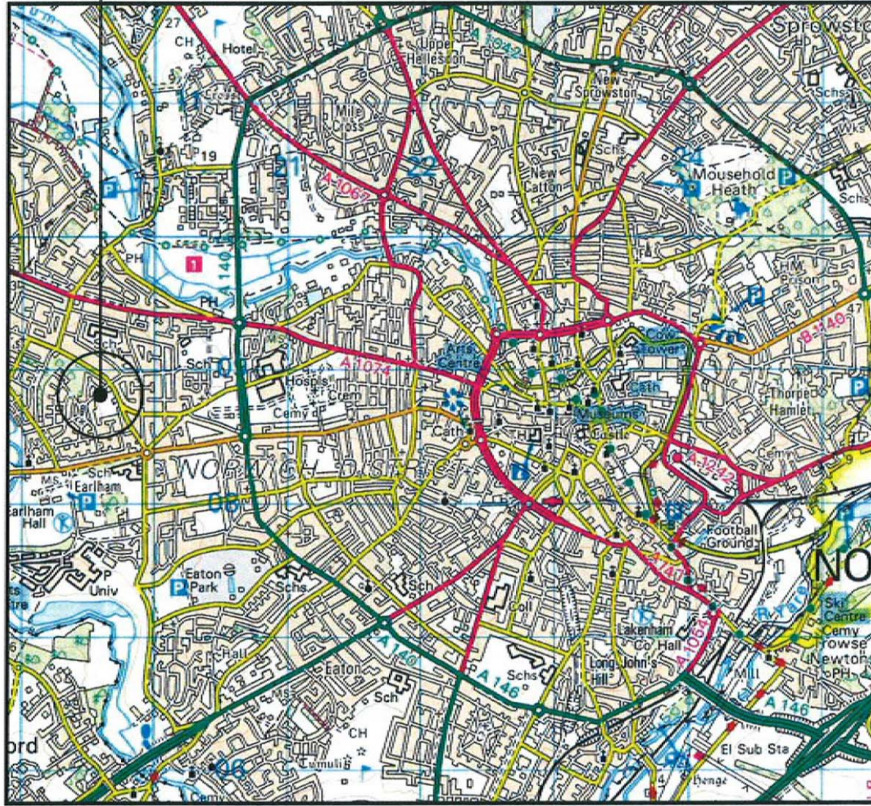


NORWICH
City Council

PLANNING SERVICES



SITE LOCATION



SITE LOCATION
(Scale 1:50000)

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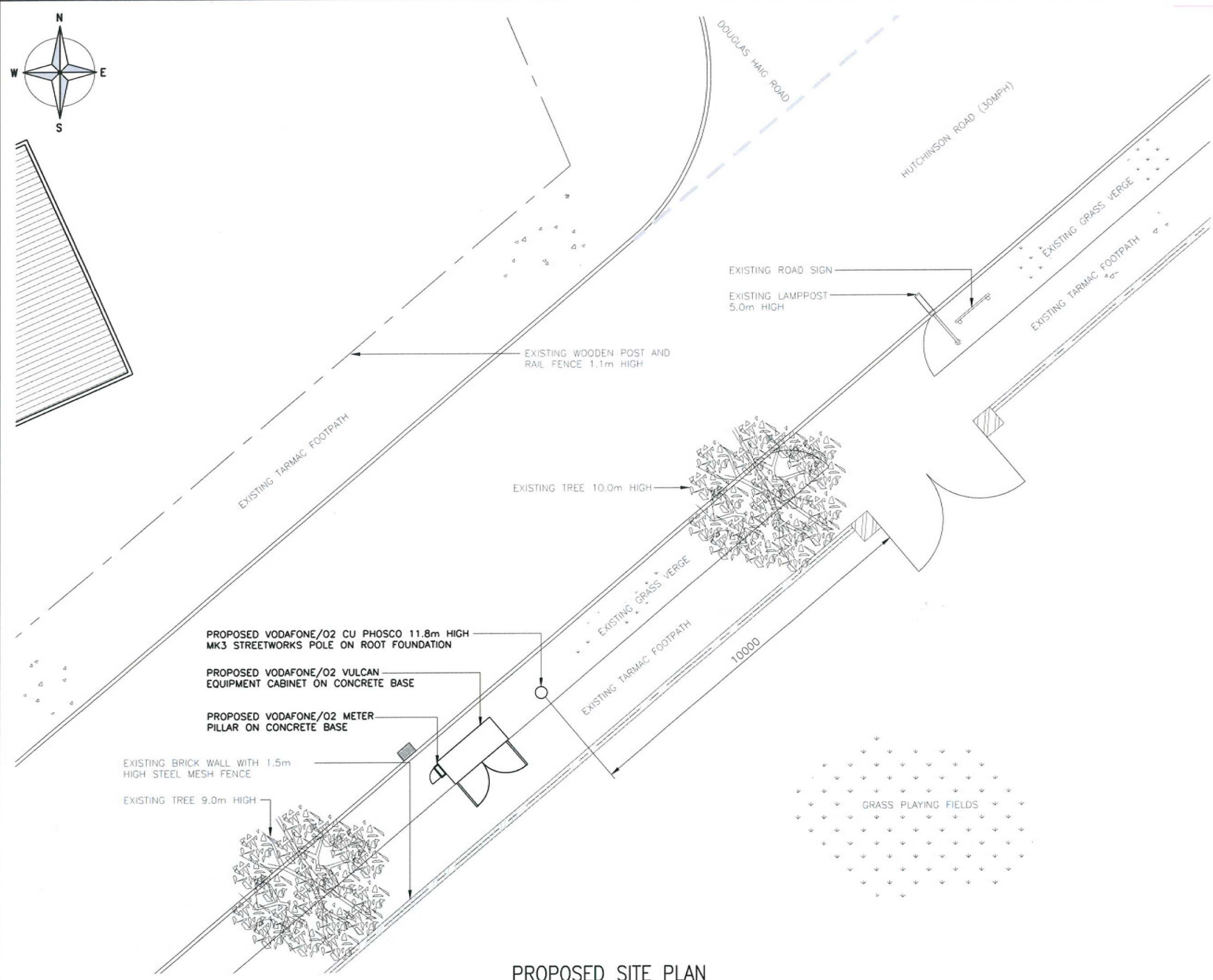


SITE LOCATION



DETAILED SITE LOCATION
(Scale 1:1250)

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CONCESSION REQUIRED | NO

NOTES:

REV	MODIFICATION	BY	CH	DATE
A	Issued for Approval	DW	SR	21.02.12

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O2 **vodafone**

Cornerstone Project

Cell Name	Opt.
WEST EARLHAM	-

Cell ID No

Cornerstone	Host	Sharer
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Site Address / Contact Details

HUTCHINSON ROAD SW
NORWICH
NORFOLK
NR5 8LA

Drawing Title: PROPOSED SITE PLAN

Purpose of issue: PLANNING

Drawing Number: 200

Drawn: DW	Date: 21.02.12	Checked: SR	Date: 21.02.12	Original Sheet Size: A3	Issue: A
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The drawings comply with O2 & Vodafone Standard ICNIRP guidelines.
Designed in accordance with Cornerstone document: CORN/09/006

PROPOSED SITE PLAN
(1:100)