

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 6th October 2004
AUTHOR/S: Director of Development Services

S/0055/04/F - Grantchester
Erection of 15 Metre High Telecommunications Mast and Associated Development for a Temporary Period of One Year (Retrospective) at Land to the South of Fulbrooke Road, Cambridge and West of Cambridge Rugby Football Ground For Hutchison 3G UK Ltd

Recommendation: Approval

Departure application

Site and Proposal

1. The site lies to the north of the village of Grantchester close to the Cambridge City border, within the Cambridge Green Belt on the northern boundary of the field that lies to the west of the Cambridge Rugby Football Ground, and close to it. To the north is a belt of trees. The eastern and western boundaries of the field are marked with trees and hedgerows and to the south is a farm track.
2. The full planning application, received on 12th January 2004, proposes (retrospectively) the erection of a 15m high lattice type mast with 3 vertical antennae and 1 dish attached.
3. The closest dwellings are in Fulbrooke Road. The closest of these, 47 Fulbrooke Road lies some 140m away from the mast.
4. The application is accompanied by a Declaration of Conformity with International Commission on Non-Ionising Radiation Protection (ICNIRP Public Exposure Guidelines).
5. The application has been advertised as a departure from the Development Plan.

Planning History

6. There is no history of relevance to the application.

Planning Policy

7. **Planning Policy Guidance Note No. 8 - Telecommunications**
8. This guidance note is a material consideration to which significant weight should be attached. Its general policies are set out below:

1. “The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. The Government also has responsibility for protecting public health.
 2. The aim of telecommunications policy is to ensure that people have a choice as to who provides their telecommunications service, a wider range of services from which to choose and equitable access to the latest technologies as they become available.
 3. The Government places great emphasis on its well established national policies for the protection of the countryside and urban areas - in particular, amongst others.
 4. Whilst local planning authorities are encouraged to respond positively to telecommunications development proposals, they should take account of the advice on the protection of urban and rural areas in other planning policy guidance notes.
 5. Material considerations include the significance of the proposed development as part of a national network. In making an application for planning permission or prior approval, operators may be expected to provide evidence regarding the need for the proposed development.
 6. 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”.
 17. In Green Belts, telecommunications development is likely to be inappropriate unless it maintains openness. Inappropriate development may proceed only if very special circumstances are demonstrated which outweigh the degree of harm to the Green Belt. The lack of a suitable alternative site that would meet the needs of network coverage or capacity might be considered as very special circumstances.
9. With regard to Health Considerations Planning Policy Guidance Note No. 8 states:
29. “Health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision-maker (usually the local planning authority) to determine what weight to attach to such considerations in any particular case.
 30. However, it is the Governments firm view that the planning system is not the place for determining health safeguards. It remains central Governments responsibility to decide what measures are necessary to protect public health. In the Governments 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 planning permission or prior approval, to consider further the health aspects and concerns about them.
 31. The Governments acceptance of the precautionary approach recommended by the Stewart Groups report "*mobile phones and health*" is limited to the specific recommendations in the Groups report and the Governments

response to them. The report does not provide any basis for precautionary actions beyond those already proposed. In the Government's view, local planning authorities should not implement their own precautionary policies e.g. by way of imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between new telecommunications development and existing development".

10. **Policy 6/5** of the Cambridgeshire Structure Plan 2003 states:
"Growth of new and existing telecommunications systems will be encouraged to ensure people have equitable access to a wide range of services and the latest technologies as they become available, and to reduce the need to travel".

The supporting text states (in part):

"Coverage and capacity of broadband services, cable and mobile phone network infrastructure will be encouraged".

"The Local Planning Authorities will need to take into account environmental and health impacts of telecommunications development when drawing up Local Plans or considering planning applications".

11. **Policy GB2** of the South Cambridgeshire Local Plan 2004 (the Local Plan)
This policy outlines the general Green Belt principles. It states (in part): "Planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated". The rest of the policy defines what is considered to be appropriate development. Telecommunication development is not listed as appropriate.

12. **Policy CS8** of the Local Plan states:

"In determining whether approval of siting and appearance is required, or considering applications for planning permission for telecommunication installations, the District Council will need to be satisfied that:

- (1) The siting and external appearance of apparatus have been designed to minimise the impact of such apparatus on amenity, while respecting operational efficiency;
- (2) In the case of radio masts, the applicant has shown evidence that it has explored the possibility of erecting antennas on an existing building, mast or other structure;
- (3) Antennas have, so far as is practicable, been sited so as to minimise their effect on the external appearance of the building on which they are installed;
- (4) Applicants have considered any need to include additional structural capacity to take account of the growing demands for network development, including that of other operators, to facilitate future mast sharing.

Proposals for the location of telecommunication installations will not be permitted where they have an unacceptable visual impact on the urban or rural landscape, unless the applicant can demonstrate that no alternative more appropriate site is available".

13. **Policy EN1** of the Local Plan states:

“Relevant parts of the Landscape Character Areas of England are defined on the Proposals Map. In all its planning decisions the District Council will seek to ensure that the local character and distinctiveness of these areas is respected, retained and wherever possible enhanced. While recognising that landscape is a dynamic concept, planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of these areas”.

Consultations

14. **Grantchester Parish Council**

The Parish Council has not commented.

15. **Cambridge City Council**

It is noted that this is to be a temporary structure and a permanent site is still being sought. It appears that some of the mast and most of the cabin and compound fencing will be reasonably well screened by trees to the north and east of the site. Measures should be taken to ensure that the proposed generator does not cause a noise nuisance to nearby houses.

I have no other comments on this proposal. I assume that the residents of Fulbrooke Road and Grantchester Road will be consulted”.

16. **Chief Environmental Health Officer** states: “I have considered the implications of the proposals in terms of emission of electromagnetic radiation (EMFs).

Currently clinical and epidemiological studies cannot clarify health effects associated with low level RF exposure. However, it is believed that further studies are required to confirm whether or not the findings are correct.

It is proposed that the minimum standards in the UK should follow the recommendations of ICNIRP. To this end, the applicant should be encouraged to provide monitoring data that proves that installations meet current guidelines at a minimum and should be encouraged to look for sites which, so far as is practically possible, minimise potential exposure of local residents, avoiding proximity to sensitive areas, e.g. residential developments and school grounds. Transmitter antennae should be positioned so that they project their energy beams towards the horizon and not below. The beam of greatest intensity should not fall on any part of the sensitive location (e.g. school grounds or buildings) without agreements from the occupier(s) (e.g. school and parents). The developer should be discouraged from mounting antennae on building walls where rooms immediately behind such walls will be regularly occupied by people.

From a public health protection standpoint, the above approach is justifiably precautionary. The measures outlined will ensure that any potential health risks are minimised, whilst allowing flexibility to raise thresholds if scientific data permits.”

Additionally it was noted that the generator whilst running was not very noisy.

Representations

17. 19 letters of objection have been received from residents of Fulbrooke and Grantchester Roads, together with one petition signed by 33 residents. The points of objection are summarised below:

- Mast has been erected without any planning permission

- Mast in very close proximity to dwellings
- Already two masts in close proximity and another granted permission at the Barton Road layby.
- Impact on the Area of Best Landscape
- Insufficient justification of need.
- No pre-application discussions
- Would be clearly visible from footpaths to the south and playing fields to the east and rear windows and gardens of the houses on the south side of Fulbrooke Road.
- Close proximity to the Bin Brook.
- Additional antennae will be erected over time making the mast more visible.
- Health effects – particularly within 500m where concentrations of energy are at their maximum. Microwave pulsed radiation is not known to be safe.
- Other sites have not been fully considered such as Barton Road/M11
- Reduction in property values.
- Will harm quality of the environment.
- Site only 50m away from one refused by the City Council (see preceding item).
- Proximity to model railway site that is used by children.
- Harmful to the rural and open character of the Green Belt.
- Will affect the setting and skyline of the City.

Planning Comments – Key Issues

18. The key issues are: The visual impact of the development on the surrounding countryside and Green Belt; alternative masts, buildings, other structures and sites; perceived impact on health and amenity of nearby residents.
19. ***Visual impact.***
The mast will be visible from the track that runs to the south of the site and through the trees from the model railway site.
20. The mast is to be positioned to the north of the field and not in an open area. There are no public footpaths in the vicinity.

The compound will be screened by the existing trees to the north.

The lattice structure is not heavy in appearance and in my opinion the mast will not have an unacceptable visual impact on the rural countryside and Green Belt.

The proposal is for a temporary period of one year so that any visual harm will be temporary.

21. **Existing buildings masts or other structures**

Policy CS8 requires the operator to show evidence that it has explored the possibility of erecting antennas on existing buildings, masts or other structures. Woolfson College was considered for a rooftop installation but the applicants state that the site provider was unwilling. Use of floodlights at Cambridge RFC was considered but the site provider apparently withdrew due to local opposition. Robinson College was considered for a rooftop installation but again it is stated that the site provider was unwilling due to objections from various members of staff and students. Other buildings considered and discounted because, the applicant states, the site provider was unwilling are at Selwyn College, the University Library and Cambridge University Rugby Union Football Club. Mast sharing at Dumpling Farm (opposite the layby on Barton Road, within the City) has been discounted by the City Council as this would require a raising of the height of one of the existing masts which would be unacceptably visually detrimental.

22. The Barton Road/M11 site known also as Haggis Farm referred to in letters of objection as an appropriate alternative is already in use by the operator. The proposed site is intended to provide coverage into the City which is not adequately served by the Haggis Farm Station.

23. The Barton Road layby site where permission has been granted for a mast for another operator is stated as being too close to the Haggis Farm base station to be used and would in any case require an increase in height of the approved mast or another mast to be erected both of which are undesirable.

24. I am not aware of any existing masts, buildings or other structures that would meet the needs of the operator. In my opinion the applicant has made attempts to find existing buildings/structures that could provide an alternative without the need to erect a mast.

Alternative sites

25. In addition to the above alternative sites have been considered for the erection of a mast and none is considered by the operator to be satisfactory. The following table contains information supplied by the operator:

Site Name and Address	NGR	Reason
Dumpling Farm	543095, 257705	Neither the site provider nor the LPA would allow.
Barton Road, layby	543150, 257625	Too exposed to gain LPAs support.
Barton Road (Street furniture)	543585, 257600	We would need 15m+ to clear the surrounding clutter, which would be unlikely to be allowed by the LPA.
Cambridge RFC	543460, 257225	Ultra slim monopole proposed but the LPA would not support

26. An application to the City Council for a 15m high mast to be erected to the east of the site for this application has also been made and refused.

27. In my opinion the operator has made significant efforts to consider alternative sites. In discussions with the City Council I have established that efforts have been made within the City and that Dumpling Farm has been discounted.

28. With regard to Policy CS8 of the Local Plan, there are three main issues in relation to consideration of alternative sites (as opposed to existing masts, buildings or other structures) these are:
29. Availability
The site has to be available, as stated in Policy CS8. This requires that the landowner is willing to enter into an agreement with the telecommunications operator.
30. Suitability
The site has to be suitable to the operator – there are limited options due in part to range and topography but also many other technical restraints.
31. Preference
If an alternative site will meet the operator’s technical requirements and is available a refusal of an application can only be justified where there is unacceptable visual impact and not because it would be preferable.
32. Policy CS8 states: “Proposals for the location of telecommunication installations will not be permitted where they have an *unacceptable* visual impact on the urban or rural landscape, *unless* the applicant can demonstrate that no alternative more appropriate site is available.”
33. Visual Impact
In my opinion Members should first consider if this mast has an unacceptable visual impact.
34. Acceptable
If the mast is not considered to have an unacceptable impact there is no requirement for the operator to demonstrate that no alternative site is available. There may be a better site but to refuse this application because there is a better alternative would not be justified.
35. Unacceptable
Members should still consider granting consent in line with the above policy but Members should be confident that the applicant has demonstrated that there are no alternative more appropriate sites. If not a refusal could be justified.
The applicant has considered alternative sites but in my opinion the proposed mast does not have an unacceptable visual impact and I do not believe a refusal could be justified because there is or may be a better alternative.
36. In addition to the consideration of this Policy, Members should have regard to the impact of the proposal on the Cambridge Green Belt. The development is by definition inappropriate. However, Planning Policy Guidance Note No 8 states that “The lack of a suitable alternative site that would meet the needs of network coverage or capacity might be considered as very special circumstances”. In my view there is no better alternative site.
37. **Landscaping**
Additional landscaping could not be required as this could not be justified for a temporary development
38. **Perceived threat to health.**
The mast is some 140m from the nearest dwelling. At this distance I do not consider there is any material perception that health could be affected. Many other examples of this proximity exist and many masts and antennae are considerably closer to

residential properties particularly in urban areas. Whilst this site is in a rural and not an urban setting the issue of effect on health is constant and I consider that an approval of this mast at this distance from dwellings is consistent with taking a precautionary approach.

39. ***Amenity of nearby residents***

The mast will be sufficiently distant from existing dwellings so that it will not appear overbearing when viewed from within properties or from their gardens.

Recommendation

40. Approval subject to the following conditions:

1. Standard Condition A – Time limited permission (Reason A);
2. The mast, including all apparatus, equipment, fencing and hard surfacing shall be removed from the site and the land restored to its former condition on or before 31st December 2005 or when a permanent structure is erected following the grant of planning permission by the Local Planning Authority, whichever is the sooner. (Reason – To protect the visual quality of the countryside and Green Belt)

41. **Reasons for Approval**

1. Although the proposal has been considered as a Departure from the Development Plan, and particularly in regard to policies aimed at protecting the Green Belt from inappropriate development, the Local Planning Authority considers very special circumstances exist which outweigh the harm by being located in the Cambridge Green Belt:
 - **The operator has sought to find alternative suitable sites that would meet the needs of coverage or capacity. None has been identified.**
 - **The proposal does not have an unacceptable visual impact on the countryside and will not harm the openness of the Cambridge Green Belt.**
2. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

Background Papers: the following background papers were used in the preparation of this report: Cambridgeshire Structure Plan 2003, South Cambridgeshire Local Plan 2004, Planning Policy Guidance Note No. 8 and Application File Reference S/0055/04/F.

Contact Officer: Nigel Blazeby – Senior Planning Assistant
Telephone: (01954) 713256