

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Development and Conservation  
Control Committee

2<sup>nd</sup> June 2004

**AUTHOR/S:** Director of Development Services

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**S/0483/04/F – SHEPRETH**  
**Erection of 18 metre high telecommunications tower and associated development at**  
**Barrington Park Equestrian Centre, Shepreth**  
**For Hutchison 3G Ltd**

**Recommendation: Delegated approval**

**Site and Proposal**

1. The site lies approximately 60m north of the Cambridge – Royston railway line and 650m north of the A10 at the Barrington Park Equestrian Centre between the villages of Shepreth, Barrington and Foxton but within the parish of Shepreth. It lies adjacent to a track which leads down to the Equestrian Centre. There are several trees and shrubs in the vicinity with one large tree (approximately 17m high) approximately 3-6m south of the site.
2. The full planning application, received on 8<sup>th</sup> March 2004, proposes the erection of an 18m high lattice type mast with 3 vertical antennae and 3 dishes attached. The compound surrounding the mast has an area of 30m<sup>2</sup> and its erection will involve the loss of a number of bushes and small trees.
3. The closest residential properties are in Angle Lane, Shepreth. The closest of these, 1 Edieham Cottages, lies some 400m away from the mast (from the dwelling and 335m away from the closest point of the rear of the garden).
4. A Tree Preservation Order covers a line of trees that run north-south through the application site. The order refers specifically to the willow trees within this belt.
5. A public footpath lies approximately 400m to the west running north-south.
6. The application is accompanied by a Declaration of Conformity with ICNIRP Public Exposure Guidelines.

**Planning History**

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

**Planning Policy**

**8. Planning Policy Guidance Note No. 8 - Telecommunications**

9. This guidance note is a material consideration to which significant weight should be attached. Its general policies are set out below:

10.
  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 the National Parks (including the Broads and the New Forest), Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, the Green Belts, the Heritage Coast and areas and buildings of architectural or historic importance.
  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".
11. 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*"<sup>1</sup> 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 Governments 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".
12. **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 LPA’s will need to take into account environmental and health impacts of telecommunications development when drawing up Local Plans or considering planning applications”.

13. **Policy CS8** of the South Cambridgeshire Local Plan 2004 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) Antenna 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”.

14. **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**

15. **Shepreth Parish Council** recommends refusal. It states:  
There are already 2 masts in this area.

16. **Foxton Parish Council** makes no recommendations.

17. **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 residues are minimised, whilst allowing flexibility to raise thresholds if scientific data permits.”

17. **Trees and Landscape Officer and Environment Agency’s** comments are awaited.

#### **Representations**

None received. The consultation period on the Press Notice expires on 25<sup>th</sup> May.

#### **Planning Comments – Key Issues**

18. The key issues are: The visual impact of the development on the surrounding countryside including loss of existing vegetation; 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 public footpath that runs to the west of the site, from the A10 and the railway line as well as from the Equestrian Centre and other vantage points within the countryside. However, apart from the views from the Equestrian Centre, public views are largely from significant distances away, visually reducing the apparent height of the mast. The existing trees will provide a degree of screening, particularly one large 17m high tree, and there are already a number of telegraph poles and railway structures that interrupt the horizon. 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.
20. ***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. A mast share has been considered to the north east at Hoffers Brook Farm but discounted as being too far north from the search area. No other existing masts, buildings or other structures have been suggested.

21. The Parish Council has stated that there are already 2 masts in the area. I have asked the Council to specify which masts it is referring to and Members will be updated verbally at the meeting.
22. I am not aware of any existing masts, buildings or other structures that would meet the needs of the operator (with the exception of a railtrack mast opposite Shepreth Station but I consider this would be too light a structure to carry the necessary equipment and is in any case in close proximity to residential buildings). However I consider that the operator may not have fully explored the issue and the question of clarification regarding Hoffers Brook Farm remains. I will therefore be requesting further information once the Parish Council has clarified its comments. Members will be updated verbally at the meeting.

***Alternative sites***

23. Seven alternative sites have been suggested and none are considered by the operator to be satisfactory. The following table contains information supplied by the operator:

Site Name and Address	NGR	Reason
BT TRS site, Royston Road, Foxton	540629, 248397	There is an existing consent for a T-Mobile mast at this site. The height of the trees would result in the need for a 25m+ mast very close to the road for both operators to share.
College Farm land, Barrington Road, Foxton	540600, 248800	Too close to the power lines and rail track, and nearer to residential properties.
Network Rail compound, Royston Road, Foxton	540950, 248820	Close proximity to the rail track.
Street furniture, Royston Road	540950, 248820	The height needed would be 15m, which would be incongruous for a streetworks solution.
Andrews Coaches, Royston Road	541000, 248950	The site would be more likely to raise objections from nearby residential dwellings.
Anglia Water site, Barrington Road		The site provider is not willing.
Land to either side of A10, Royston Road		The site provider is not willing.

24. Consent has been granted for a mast at Bexwell Farm adjacent to the railway line near to Shepreth Station but not yet implemented. As such this site should be regarded as an alternative site and not an existing mast. However, it would appear that the operator has not considered this site for either a mast share or for an additional mast.
25. There are three main issues in relation to consideration of alternative sites (as opposed to existing masts, buildings or other structures) these are:
26. 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.

27. 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.
28. Preference  
If an alternative site will meet the operators 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.
29. 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.”
30. Visual Impact  
In my opinion Members should first consider if this mast has an unacceptable visual impact.
31. 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.
32. 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.
33. **Landscaping**  
The compound would in my view be visible from the wider landscape due to the poor screening that would be achieved by the existing planting in the vicinity of the site. A landscaping condition is therefore necessary in order to secure additional planting. I note, however, that the site location plan does not provide adequate land for additional planting. A revised plan is therefore required.
34. **Perceived threat to health.**  
The mast is some 400m 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. In addition I note that there have been no representations made. Two site notices were erected, one in Angle Lane and one at the entrance to the Equestrian Centre and a notice published in the Cambridge Evening News advertising the proposal.

35. ***Amenity of nearby residents***

As stated above the closest residents are in Angle Lane. There is a change in gradient between this location and the application site which coupled with the distance of some 400m will not result in the mast having an overbearing impact on these residents as it will not be readily visible.

**Recommendations**

36. Delegated powers of approval are sought subject to a revised plan showing an increased area of land for landscaping and further information and clarification regarding alternative existing masts, buildings, or other structures and subject to the following conditions:

1. Standard Condition A – Time limited permission (Reason A);
2. Sc51 – Landscaping (Rc51);
3. Sc52 – Implementation of landscaping (Rc52);
4. Within one month of the development hereby permitted ceasing to be used for telecommunications purposes the Local Planning Authority shall be notified accordingly in writing. Within four months of such notification all apparatus (including any mast), equipment, fencing and hard surfacing shall be removed from the land; and all buildings and structures shall be demolished and removed from the land; and the land shall be restored in accordance with a scheme submitted to and approved by the Local Planning Authority.  
(Reason: To ensure that the mast and associated equipment is removed from the site when the need for the structure ceases in order to avoid dereliction in the countryside).

**Informatives**

37. The provisions of the Telecommunications Code indicate that the operator is not entitled to keep apparatus if it no longer required for telecommunication purposes.

38. **Reasons for Approval**

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: P 6/5** (Telecommunications);
  - **South Cambridgeshire Local Plan 2004: CS8** (Telecommunications),
  - **EN1** (Landscape Character Areas)
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/0483/04/F.

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