

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee
AUTHOR: Director of Development Services

6th July 2005

**S/0611/05/F - Elsworth
Erection of 12 Metre High Pole with a
0.3 Metre Microwave Dish for Broadband Services
for Elsworth Primary School**

**Recommendation: Approve
Date for Determination: 27th May 2005**

Adjoining Conservation Area

Site and Proposal

1. This 1st April 2005 application proposes full planning consent for the erection of a pole to be located to the south west of the main school buildings at Elsworth Primary School, Broad End, Elsworth.
2. The proposal comprises a 12 metre high tubular pole with a diameter of 273 mm at its base and 89 mm at its apex, constructed of galvanized steel, with a consequent grey finish. It would carry a single "dish" measuring 300 mm in diameter and finished in white enamel paint. At Elsworth Primary School, the provision of a broadband connection can only be achieved by a microwave radio system mounted on a pole within the school grounds.

Health and Safety Issues

3. Members will recall that this application was reported to the meeting of the Development Control and Conservation Committee held on 1st June (item 11) where it was resolved that the application be deferred in order to obtain further guidance from the Council's Chief Environmental Health Officer. In accordance with that decision a memorandum was sent to the Chief Environmental Health Officer as follows:

"Thank you for your memorandum of 10th May in respect of the above proposal.

This planning application was reported to the meeting of the Council's Development Control and Conservation Committee held on 1st June where it was resolved that the application be deferred for further information. Foremost amongst Members' concerns were the potential health risks to children attending the primary school within the grounds of which the proposed mast would be located.

I would advise you that the application has been submitted as part of a programme supported by Cambridgeshire County Council as Local Education Authority to bring broadband to schools. I understand that the system uses low power and operates on a line-of-sight basis, thereby reducing any potential risks. The application was accompanied by a risk assessment prepared on behalf of the County Council.

In the present case, I can appreciate the concerns of Members attempting to determine a planning application submitted on behalf of the Local Education Authority specifically required to serve educational needs and supported by a risk assessment when your own comments suggest that such facilities should avoid school grounds.

Against the above background may I suggest that your comments, whilst offering appropriate technical advice, are nevertheless somewhat generalist in nature. It would probably be more helpful in the assessment of this and other such telecommunications proposals if you could, as the Council's expert in such matters, interpret and apply this specialist advice to specific proposals. In the circumstances, I am therefore arranging for copies of all the relevant documentation to be forwarded to you and would be pleased if you could offer me any further advice related to the health and safety issues raised by this specific proposal.

The application is due to be reported back to the meeting of the Development Control and Conservation Committee due to be held on 6 July. In order to enable me to prepare my report for that meeting I would be pleased to receive your response no later than 17 June."

4. In response to the above, the Chief Environmental Health Officer has since stated:

"I refer to your recent consultation in respect of the above-proposed development. I have the following comments:

Currently, the environmental health department comments in respect of such applications in a fairly standardised format as indicated below. In the past the planning department has commented that the consultation from the environmental health department with respect to such applications do not relate to the specific site of the proposed installation. We cannot comment on individual sites for a variety of reasons:

Each site is different by virtue of its proximity to sensitive locations and the type of equipment proposed per application is different every time. Consequently, a considerable amount of technical expertise and precise scientific knowledge is required to comment comprehensively on this subject. For this reason we rely on the expertise such bodies as the National Radiological Protection Board. On 1 April 2005 the National Radiological Protection Board merged with the Health Protection Agency forming its new Radiation Protection Division. The Division consists of its headquarters at Chilton in Oxfordshire, its Occupational Services Department at Leeds, and Radiation and Environmental Monitoring Scotland at Glasgow. Together with the Chemical Hazards and Poisons Division of HPA it forms the Agency's Centre for Radiation, Chemical and Environmental Hazards. The Director of the Centre is Dr Roger Cox, the former Director of NRPB.

The environmental health departments general response to applications in respect of mobile phone masts and related equipment and installations is based on the information provided by such bodies as the NRPB and the HPA who regularly produce relevant information on this subject.

The attached link provides a good understanding of the complexity of the issues relating to such installations.

http://www.hpa.org.uk/radiation/understand/information_sheets/mobile_telephony/base_stations.htm

As regards the current proposal for the erection of a 12m steel pole with a 0.3metre microwave dish for the purposes of supporting "point- to- point wireless broadband links for schools", I have contacted the NRPB for some comment that might be of some assistance in respect of this application. The NRPB have advised that the beam produced by the equipment described by such a proposal is quite narrow and did not express any great concern as a result. When contacted the applicant, BT, and I was advised that the equipment proposed by this application has an operating potential of 1 Watt of energy.

I was further advised that a similar apparatus exists near a school in Great Wilbraham and that consent has been granted for another in Guilden Morden.

Requests for more specific advice in respect of such installations might be better addressed by the NRPB whose contact details I have attached:

Health Protection Agency,
Centre for Radiation, Chemical and Environmental Hazards
Radiation Protection Division, Chilton, Didcot. Oxon OX11 0RQ
Telephone 01235 831600 Fax 01235 833891
Email rpd@hpa-rp.org.uk

In the interim the response to such applications will contain the following advice subject to contrary direction from the government and its relevant agencies.

I wish to confirm that I have received a copy of the application and 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 sites, eg 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 (eg school grounds or buildings) without agreement from the occupier(s) (eg 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.

Please return a copy of the decision notice regarding this application, quoting the Department's reference, when it has been determined."

Planning Comments

5. It is noted that the Chief Environmental Health Officer continues to maintain a precautionary approach. Whilst this is understandable, such an approach does not reflect the framework, in Planning Policy Guidance Note No 8., within which the Local Planning Authority is required to determine the application. PPG8 thus states in relation to health considerations:

“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.

However, 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 planning permission or prior approval, to consider further the health aspects and concerns about them.

The Government's acceptance of the precautionary approach recommended by the Stewart Group's report “ mobile phones and health” is limited to the specific recommendations in the Group's report and the Government's 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.”

6. At the time of writing this report none of the agencies concerned have offered reasons specific to this site, or to the type of equipment involved, which would suggest that there are any particular grounds for concern. In considering whether to grant consent or to refuse the current application, there is therefore no clear evidence before the Local Planning Authority that would justify a refusal of consent. Indeed, the developer has complied with the relevant guidance. The application is accompanied by a health and safety risk assessment, undertaken by Cambridgeshire County Council as Local Education Authority, based upon the guidance of the National Radiological Protection Board (NRPB) and the International Commission on Non-ionising Radiation Protection (ICNIRP).
7. Having regard to the additional information reproduced above, together with the above comments, the recommendation remains one of consent subject to the conditions outlined in the June report.

Recommendation

8. Approval, subject to the following conditions:
 1. Standard Condition A - Time limited permission (Reason A);
 2. The use of the mast and associated equipment hereby approved shall be restricted to the provision of broadband services to Elsworth Primary School. (Reason - The information provided by the developer to the Local Planning Authority relates to the provision of broadband services to Elsworth Primary School. Any additional or alternative use of the mast hereby approved would

involve an assessment of other material considerations in accordance with Policy CS8 of the South Cambridgeshire Local Plan 2004.)

3. Within one month of the development hereby approved ceasing to be used the Local Planning Authority shall be notified accordingly in writing. Within four months of such notification all apparatus including the mast and any associated equipment, fencing and hard surfacing shall be removed from the land; and the land shall be restored in accordance with a scheme submitted to and approved in writing by Local Planning Authority.
(Reason - To ensure 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.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P6/5** (Telecommunications)
 - **South Cambridgeshire Local Plan 2004: CS8** (Telecommunications).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity.
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
 - Health and safety

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref S/0611/05/F

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