

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd November 2005

AUTHOR/S: Director of Development Services

S/1809/05/PNT - Fen Drayton 15m High Telecommunications Monopole and Associated Development Huntingdon Road

Recommendation: Approval of Siting and Appearance

Date for determination: 16th November 2005

Site and Proposal

1. The site lies on a mown grass verge at the junction of (old) Huntingdon Road and Middleton Way. The carriageway of the A14 adjoins to the south. The site is in the rural area and within the area of the former Land Settlement Association Estate. The site is in a relatively exposed position, with only a 4m high hedge as a backdrop, although further to the west there is an avenue of tall trees on Huntingdon Road. The area is predominantly in agricultural use, but a pair of dwellings at 50/51 Middleton Way lie some 80m to the north.
2. The prior notification application, received on 21st September 2005, proposes the erection of a 15 metre high monopole, coloured light aircraft grey, with 3 vertical antennae and 1 dish attached and an associated equipment cabinet.
3. A Declaration of Conformity with ICNIRP Public Exposure Guidelines accompanies the application.

Planning History

4. No relevant planning history on this site.

Planning Policy

Planning Policy Guidance Note No. 8 - Telecommunications

5. 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 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”.

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 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.
31. 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”.

Cambridgeshire Structure Plan 2003

6. **Policy P6/5** (Telecommunications) states that 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”.

South Cambridgeshire Local Plan 2004

7. **Policy CS8** (Telecommunications) states that 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”.

8. **Policy EN1** (Landscape Character Areas) states that 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”.
9. **Policy Fen Drayton 1:** Within the area of the former Land Settlement Association Estate, planning permission will not be granted for housing or commercial development unless it is directly related to the effective operation of local agriculture, horticulture, forestry or other uses appropriate to a rural area. The supporting text indicates that the former estate is the subject of a 1937 Planning Agreement which restricts the use of land, buildings and dwellings to those of agriculture and horticulture.

Consultations

10. **Fen Drayton Parish Council** recommends approval subject to nearby residents in close proximity being in favour.
11. **Chief Environmental Health Officer** comments: “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.”

12. **Highways Agency** - The comments of the HA are awaited and will be reported verbally at the meeting, if received.

Representations

13. **Occupiers, 50 Middleton Way**

- a) Proximity to dwelling house: Health concerns that there may be biological effects occurring below guidelines and gaps in knowledge, and that the standards of the ICNIRP guidelines are not a statutory requirement.
- b) Proximity to A14: possibility of a vehicle leaving the A14 and crashing into the mast. The mast will distract drivers and cause them to slow down.
- c) Site access: Huntingdon Road and Middleton Way are already in use for large delivery vehicles to existing businesses, and by cyclists, walkers and school children. Lorries park overnight in the vicinity. Emergency access could be impeded.
- d) The facility will be vulnerable as this area is subject to vandalism, fly tipping and youths racing their cars.

14. **Occupiers, 51 Middleton Way**

The writers indicate that they live within 60/70 metres of the proposed development and work within the glasshouses adjacent to it. They object because:

- a) The mast will be visible from their lounge window which will be unacceptable.
- b) Long term health issues. In this position they will be exposed to maximum Power Flux Density both in the house and in the nursery, as will their staff.
- c) The mast will encroach on their land.
- d) Mast shadow will affect crop growth.
- e) Any damage to the boundary hedge would affect the security of the nursery.
- f) If the mast was damaged in a high wind this could affect the adjoining glasshouses.
- g) Distraction to drivers on the adjoining A14.

15. **Occupiers, Thimbleset Nurseries, 2 Mill Road**

These residents are concerned about the long term health effects to residents and nursery staff, and because the mast will be an eyesore from their property.

Planning Comments - Key Issues

16. The key issues in relation to this application are:

Health Implications

17. Although this site is in a rural location, the proposed mast is located approximately 70/80m from the nearest dwelling. However, the application is accompanied by a Declaration of Conformity with ICNIRP Public Exposure Guidelines. For this reason I do not consider that there are reasonable grounds to object to the application on the grounds of possible harm to public health. Approval of this mast would be consistent with the precautionary approach advocated in PPG8 and by the Council's Chief Environmental Health Officer. While PPG8 acknowledges that perceived fears are a material consideration, the Government's firm view is that the planning system is not the place for determining health safeguards.

Visual Impact

18. The mast will be plainly visible from the A14, at its closest approach. The mast is slender in appearance and will not appear to be unduly obtrusive from this vantage point, in my opinion. In the context of trees of a similar height on this part of Huntingdon Road, albeit not adjacent, I do not consider that the mast will be unduly incongruous when viewed from the north and west. The application conforms with policy EN1.

Alternative masts, buildings, other structures and sites

19. Aside from the application site, the operator has considered six alternative locations and none were considered to be satisfactory. These are set out in **Appendix 1**.

20. The provisions of policy CS8 of the Local Plan state that the District Council will need to be satisfied that 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. In the information supporting the application the operator has illustrated a lack of coverage in the area from surrounding sites. The proposed mast is intended to address a lack of coverage on the A14 in this vicinity and in the village of Fen Drayton.

21. There are three main issues in relation to the consideration of alternative sites. These are:

1. ***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.

2. ***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.

3. **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.

22. In accordance with the sequential approach of policy CS8, Members should first consider if this mast has an unacceptable visual impact. If the mast is not considered to have an unacceptable visual impact there is no requirement for the operator to demonstrate that no alternative site is available. Even if a preferable site were to be available, this would not be a reasonable ground to refuse the current proposal.
23. If Members are of the opinion that the site would have an unacceptable visual impact they should still consider granting consent in line with the above policy. A refusal would be justifiable only if Members considered that the applicant had failed to demonstrate that a no more appropriate alternative site was available.
24. 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 on the ground that there is or may be a less intrusive alternative.

Highway Safety

25. The facility is close to the eastbound carriageway of the A14. Such structures are not uncommon adjacent to trunk roads, and in this case the mast and cabinet are modest in bulk and will be screened from distant views by existing tree and hedgerow belts on Huntingdon Road. I will advise Members at the meeting of the views of the Highways Agency regarding the safety implications for drivers on the A14, if received.
26. I note the concerns of nearby residents. I do not consider that any amounts to a strong ground for refusal. I have brought the claim of land ownership to the applicant's attention, but this is not a material consideration in the application.

Recommendation

27. That prior approval for the siting and appearance of the proposed development be granted.

Informatives

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

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/1809/05/PNT

Contact Officer: Ray McMurray - Senior Planning Assistant
Telephone: (01954) 713259