

# REGULATORY SERVICES COMMITTEE

# REPORT

4 October 2011

**Subject Heading:**

**M0010.11 – Junction of Faringdon Avenue & Dewsbury Road, Harold Hill**

**Installation of telecommunications pole with associated antennas, 1 no. ground based equipment cabinet, 1 no. electrical meter cabinet and ancillary development (Application received 18<sup>th</sup> August 2011)**

**Report Author and contact details:**

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**Policy context:**

**Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995**

**Financial summary:**

**None**

**The subject matter of this report deals with the following Council Objectives**

Clean, safe and green borough	[ ]
Excellence in education and learning	[ ]
Opportunities for all through economic, social and cultural activity	[ ]
Value and enhance the life of every individual	[x]
High customer satisfaction and a stable council tax	[ ]

## SUMMARY

This matter is brought before committee as the application has been called in by Councillor Eagling. The application seeks prior approval for the installation of a telecommunications pole with associated antennas, 1 no. ground based equipment cabinet, 1 no. electrical meter cabinet and ancillary development.

This is not a full planning application but is a request, under Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, for a determination by the Local Planning Authority as to whether prior approval is required for the siting and appearance of the development. Staff conclude the proposal to be acceptable.

## RECOMMENDATIONS

It is considered that the prior approval of the Local Planning Authority is not required for the siting and appearance of the development under Part 24 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995.

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site comprises of a 12 metre wide grass verge with a footway border located on the north side of the junction of Faringdon Avenue and Dewsbury Road, Harold Hill. The surrounding area comprises of residential properties.

### 2. Description of Proposal

- 2.1 The application seeks prior approval for the installation of a telecommunications pole with associated antennas, 1 no. ground based equipment cabinet, 1 no. electrical meter cabinet and ancillary development.
- 2.2 The proposed equipment cabinet would be located in between two footway borders on the junction of Faringdon Avenue and Dewsbury Road. The proposed twin user imitation telegraph column would be 11 metres high with GRP wood effect cladding. The proposed equipment cabinet would be 1.9 metres in length by 0.8 metres in width by 1.6 metres in height coloured green. The meter pillar would be 0.4 metres in length, by 0.2 metres in width by 0.9 metres in height.
- 2.3 The applicant stated that the Telefonica Group has formed a strategic partnership with the Vodafone Group to share mobile assets in the UK. The key focus will be on the joint build of new sites and the consolidation of existing 2G and 3G sites. The application site will enable O2 and Vodafone to share a new street furniture site. The proposed 11 metre shared street furniture column will accommodate the necessary shared tri-sector antennas for each operator (within a flush, protective shroud, so the antennas themselves are not visible). The height of the column is required to ensure a

suitable signal over the surrounding buildings and other structures, vegetation and topography. This is the minimum height at which this shared installation can operate effectively.

### **3. Relevant History**

- 3.1 Although there is no history for the application site, the applicant has made reference to a planning application, M0010.10, for a mast on highway land on the eastern side of Dulverton Road between No.'s 28 and 30, Romford, which was refused. The description of the proposal was the installation of a twin user 12.5m high imitation telegraph pole with stacked antennas located within a flush glass reinforced plastic shroud at the top, with 1 no. ground based equipment cabinet and ancillary development thereto. No. 28 Dulverton Road is approximately 230 metres to the west of the application site as the crow flies.

### **4. Consultations/Representations**

- 4.1 The application has been advertised in a local newspaper and by way of a site notice. Notification letters were sent to 112 neighbouring properties. One letter of objection was received with concerns regarding the siting of the mast. At the time of drafting this report the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any representations received. It is noted that the newspaper notice expires on 7<sup>th</sup> October, but the decision by committee is required before due to time constraints on such applications.

### **5. Relevant Policies**

- 5.1 Policies DC32 (Road Network), DC34 (Walking), DC61 (Urban Design), DC64 (Telecommunications) of the Local Development Framework Development Control Policies Development Plan Document and PPG8 (Telecommunications) is also a material consideration.

### **6. Staff Comments**

- 6.1 This matter is brought before committee as the application has been called in by Councillor Eagling. This is not a planning application but is an application for determination by the Council under Part 24 of the GPDO as to whether prior approval for the siting and appearance of the proposed installation is required. Under Part 24, the Council has eight weeks to issue a decision as to whether the siting and appearance is acceptable or not. In this case, a decision must be issued before 11<sup>th</sup> October 2011. In line with the precautionary approach advocated by the Stewart Report, the applicant has submitted an ICNIRP compliance certificate. The principal issues for consideration are therefore the siting and appearance of the proposed structure.

### **7. Design/impact on street scene**

- 7.1 Central Government guidance contained within PPG8 sets out that 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.
- 7.2 Advice within PPG8 for prior approval procedures includes a list of factors relevant to the determination of such applications. In assessing the appearance of telecommunications equipment local planning authorities may consider materials, colour, design, shape and dimensions. Factors influencing siting include;
- Height in relation to surrounding land;
  - Screening effect of topography or vegetation;
  - Effect on skyline;
  - Relationship with designated areas;
  - Relationship with existing structures / buildings;
  - Relationship with residential properties.
- 7.3 Government advice is that local planning authorities should seek to approve such proposals in support of national interests unless they are sufficiently and demonstrably harmful as to override that interest. Consideration must be as to whether the impact from this proposed telecommunications installation is sufficiently serious to override the presumption in its favour under PPG8.
- 7.4 In addition to the above, the provisions of Policies DC61 and DC64 must be considered. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Policy DC64 relating specifically to telecommunications development states that planning permission will only be granted where, inter alia, it does not have an unacceptable effect on the character and appearance of the surrounding area, the proposal is sufficiently screened, it has no undue effect on the skyline and the height of the proposal is acceptable in relation to the existing topography.
- 7.5 Prior to selecting the site, an investigation was undertaken within and beyond the cell search area to explore existing masts or other suitably tall structures or buildings that may be appropriate for the accommodation of the apparatus. There are no existing sites within the required coverage area. The nearest existing sites to Faringdon Avenue are not suitable for meeting the coverage requirements for the target residential area in south Harold Hill, hence the need for a new site.
- 7.6 The applicants have advised that they have carried out a search of the surrounding area to identify the most suitable location for a proposed installation. Alternative locations were investigated but chosen not to be suitable.
- 7.7 The applicant referred to a prior approval application, M0010.10, for the installation of a twin user 12.5m high imitation telegraph pole with stacked

antennas located within a flush glass reinforced plastic shroud at the top, with 1 no. ground based equipment cabinet and ancillary development on highway land on the eastern side of Dulverton Road between No.'s 28 and 30, Romford. This application was refused, as it was considered that the proposed telecommunications mast would, by reason of its height and prominent location, appear as an unacceptably dominant and visually intrusive feature in the street scene harmful to the appearance of the surrounding area. This current prior approval application seeks to address the previous reason for refusal, so the proposal does not appear prominent in the streetscene. The imitation telegraph pole design seeks to replicate a familiar item of street furniture and following application M0010.10, its height has been reduced from 12.5 metres to 11 metres.

- 7.8 Views of the mast would be from Faringdon Avenue, Dewsbury Road and Kingsbridge Close. Faringdon Avenue has evenly spaced trees up to 12 metres in height located primarily in the middle of grass verges. Faringdon Avenue also has a number of 10 metre high lighting columns, which are located to the front of this adopted highway. It is considered that the trees aligning Faringdon Avenue would help to mitigate the visual impact of the proposal, when viewed from approaches along Faringdon Avenue. It is considered that the imitation telegraph pole design would integrate satisfactorily with other street furniture in the vicinity of the site. The height of the mast is considered to be within the realms of acceptability, as it has been reduced from 12.5 metres and would be sited adjacent to a 10 metre high lighting column. It is considered that the equipment cabinets and ancillary development would not be harmful to the streetscene, as their scale and bulk are relatively modest.

## **8. Impact on amenity**

- 8.1 It is considered that the installation would not have a detrimental impact on the visual amenity of the street scene at this point, or be harmful to the visual amenity of occupiers of neighbouring properties. There would be a separation distance of approximately 27 metres between the mast and the nearest residential properties at No.'s 193 Faringdon Avenue and 1 Dewsbury Road. It is noted that the mast does not directly face any residential properties on Faringdon Avenue or Dewsbury Road. The mast, equipment cabinets and ancillary development would be set back from the edge of Faringdon Avenue and Dewsbury Road to ensure that pedestrian and vehicle movement would not be impeded.

## **9. Highway/parking issues**

- 9.1 Given the openness of the junction between Faringdon Avenue and Dewsbury Road and the existing visibility splays, it is not considered that the installation would be unacceptably detrimental to the free and safe flow of both pedestrian and vehicular traffic at this point. There are no parking issues arising as a result of this proposal.

## **10. Other issues**

10.1 In respect of health issues, in line with the precautionary approach laid out by the "Stewart Report", a Certificate has been submitted with the application which confirms that the proposal complies with ICNIRP guidelines. Although health considerations and public concern can, in principle, be material planning considerations, PPG8 makes it clear that it is the Government's view that the planning system is not the place for determining health safeguards. It states that "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". In this case, an ICNIRP Certificate has been submitted. It is not therefore considered that there are any justifiable grounds to refuse the proposals on health grounds.

## **11. Conclusion**

11.1 The proposed mast, equipment cabinets and ancillary development are considered to be acceptable in terms of siting, design and appearance. It is considered that the proposal would not be detrimental to visual amenity and is therefore considered to be consistent with the aims and objectives of Policies DC61 and DC64. There are no amenity implications over and above the visual amenity matters discussed above. There are no highways or parking implications as a result of this proposal.

11.2 Having regard to the above it is considered that the prior approval of the Local Planning Authority is not required for the siting and appearance of the development under Part 24 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None.

### **Legal implications and risks:**

This application is considered on its own merits and independently from the Council's interest as owner of the site.

### **Human Resources implications and risks:**

None.

**Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity.

**BACKGROUND PAPERS**

Application form and plans received on 18<sup>th</sup> August 2011.