

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PL/5/2011/0106
FULL APPLICATION DESCRIPTION	15M TELECOMMUNICATIONS POLE, 6 NO. ANTENNAS AND ASSOCIATED EQUIPMENT
NAME OF APPLICANT	VODAFONE LTD
SITE ADDRESS	PETERLEE PARACHUTE CENTRE , SHOTTON COLLIERY DH6 2NH
ELECTORAL DIVISION	SHOTTON
CASE OFFICER	Laura Eden 0191 5274613 laura.eden@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 The application site relates to an area of land near the entrance to the access road for Shotton Airfield adjacent to Shotton Industrial Estate. There are two existing masts in the surrounding area, a T-Mobile Mast located 26metres to the south east of the proposed development site and a Vodafone mast situated within the haulage depot at Shotton Colliery Industrial Estate some 140 metres away.
- 2 To the north of the application site lies Shotton Airfield and to the east Shotton Industrial Estate. Both to the west and south there are residential properties and further west lies Shotton Primary School.

Proposal:

- 3 Vodafone has been served with a Notice to Quit their existing site at the Haulage Depot therefore they have stated that there is an urgent requirement to find an alternative site to ensure the continuation of existing coverage.
- 4 The proposed development relates to the installation of a radio base station consisting of the installation of a 15m monopole with 3 no. 2G antennas and 3 no. 3G antennas above to a maximum height of 17.3m and 2 no. 300mm transmission dishes. It is also proposed there would be two equipment cabinets which would house the operator's apparatus sited to either side of the pole.

- 5 As part of the application documentation has been submitted to show that these telecommunication proposals are designed to be in full compliance with the requirements of the radio-frequency (RF) public exposure guidelines of the International Commission of Non-Ionising Radiation Protection (ICNIRP) as expressed in EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0Hz to 300GHz).
- 6 The application is being presented to Committee in response to a request from Local County Councillor Todd following concerns being raised to him by local residents on health grounds.

PLANNING HISTORY

None relating to application site.

PLANNING POLICY

7 NATIONAL POLICY:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.

Planning Policy Guidance 8 (PPG8) gives guidance on planning for telecommunications development - including radio masts and towers, antennas of all kinds, radio equipment housing, public call boxes, cabinets, poles and overhead wires.

The above represents a summary of those policies considered most relevant. The full text can be accessed at <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

8 LOCAL PLAN POLICY:

District of Easington Local Plan

Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.

Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

9 STATUTORY RESPONSES:

Parish Council – No comments received

Ministry of Defence – No safeguarding objections to this proposal.

10 INTERNAL CONSULTEE RESPONSES:

Environmental Health – No comments to make in relation to the proposed development.

11 PUBLIC RESPONSES:

The development has been advertised by means of a site notice and neighbour notification letters. There have been two letters of objection received from a neighbouring resident and the doctors surgery concerned about health, suitability of site, cumulative impact and property values.

12 APPLICANTS STATEMENT:

The proposed telecommunications base station is a replacement site for an existing telecommunications mast (located at the far east corner of the adjacent haulage depot cell: 4829), which is subject to a Notice to Quit by the site provider for redevelopment purposes. Therefore Vodafone will soon be unable to use this telecommunications base station which currently provides both 2G and 3G coverage to the surrounding industrial/commercial and residential area. The replacement site is required to ensure the continuation of these existing telecommunications services to the area. The operator therefore needs a replacement base station which remains as close as possible to the existing notice to quit site, so as to replicate the existing coverage as far as possible. The coverage plots submitted with this application, clearly show the existing 2G and 3G coverage from the base station 4829, which is soon to be decommissioned, and the proposed 2G and 3G coverage from the replacement site. These plots illustrate that the existing coverage will be retained if the proposed base station is installed. If the Council considers it necessary the applicant would be happy for a condition to be attached to any planning permission stating that the existing mast must be removed within 3 months of the proposed mast being installed and fully integrated and commissioned into the network.

It is noted that there is a 17.5m high slim-line pole which is operated by T-Mobile and Hutchison 3G (LPA ref: PL/5/2009/0500) to the south east of the proposed site and therefore the principle of telecoms development in this area has already been accepted by the Council and is an established telecommunications site. The sharing of this structure has been discounted for several reasons. Firstly, this base station is already being shared by two operators. If Vodafone were to share this mast it would not be possible to utilise the same structure and would be contrary to Policy 6.3 paragraph 6.35 'Control of Large Telecommunications Development' of the Easington District Local Plan. It would have to be significantly redesigned to a bigger, taller mast to accommodate all 3 operators. This would make the mast much more prominent in the streetscene than the proposed replacement mast and therefore this option was discounted for this reason. Furthermore, whilst the application is a proposed single build for Vodafone, they have joined a strategic partnership with O2 to share each others structures and whilst O2 do not need the installation at the present time this is mainly because they have not drawn up their requirement plans for this area as yet. However, it is anticipated that within the next few months O2 will be looking to share this site with Vodafone. The proposed replacement Vodafone mast would be able to accommodate both operators, O2 and Vodafone, without the need for any change in

design. If the existing structure were to be utilised within a few months this structure would need to accommodate 4 operators further increasing the need to redesign the structure to an even bigger, taller mast further increasing its bulk and prominence in the streetscene. In addition, as T-Mobile and Orange have merged, Orange may well look to share this structure in the future as well which would mean 5 operators on one structure. Such a structure would have to be very large, significantly more so than the proposed mast or the existing mast already in situ, in order to fit all the operators equipment on it and such a design may well not be available to the operators to utilise.

The site is located in a concentration of industrial development where there are two telecoms masts which have become established parts of the streetscene. This industrial area forms a break to the residential properties to the south. The proposed installation will replace one of these existing masts, the Vodafone column located some 130m east of the application site. Unless this site at the haulage yard is replaced, there will be a material loss of existing 2G and 3G service, entirely contrary to paragraphs 6.33 and 6.34 set out under Policy 6.3 Other Communications of the Easington District Local Plan. The proposed design is similar to the existing masts already in situ, with the antennas positioned in an open head frame at a centre line height of 16.62m and 16.65m so that they will clear the nearby building clutter and trees and provide their required coverage to the industrial, residential and commercial areas situated in and around the surrounding area. The antennas at the top of the column are as slim as possible in order to fit both 2G and 3G antennas within the same structure and meet their coverage requirements. The proposed base station cannot be located any closer to the existing T-Mobile/Hutchison 3G mast to the south east as the operator is proposing to locate their antennas at the same height as the existing monopole. Any closer and the antennas would interfere with each others reception. The choice of design and its location adjacent to an industrial estate where there are existing pieces of street furniture including street lights, telegraph poles, flood lights, brick walls, industrial buildings, trees and bushes and an existing 17.5m telecoms mast in height will mitigate the visual impact of the installation within the streetscene and justify proposing such a development in this location.

With regards to health concerns, the government is clear in its advice in PPG8 paragraph 98 that *'it is the Government's firm view that the planning system is not the appropriate mechanism 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 the proposed development 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 or concerns about them'*. The application submission includes the ICNIRP Certificate confirming the proposed facility to be compliant with the guidelines. On health and safety matters, Vodafone as a Code System Operator takes advice from UK and international bodies such the Health Protection (HPA) formerly the National Radiological Board (NRPB), the International Commission on Non-Ionizing Radiation Protection (ICNIRP), and the World Health Organisation (WHO). These bodies are responsible for evaluating research and developing health based guidelines within which a variety of radio wave technologies operate. This includes television and broadcast radio as well as mobile phones and their associated base stations. The exposure guidelines Cornerstone installations conform and operate to, are produced by ICNIRP and expressed in the EU Council recommendation 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields. Below the ICNIRP guidelines, there is no substantiated evidence that suggests that mobile phone base stations pose a threat to health.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=11314>. Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATION AND ASSESSMENT

The main planning considerations that are relevant to this application are;

- Planning Policy
- Site sharing
- Health Considerations
- Siting and design
- Representations

13 Planning policy: -

The Government's general policy on telecommunications is described in Planning Policy Guidance Note No. 8 (PPG8) - 'Telecommunications' which seeks to facilitate the growth of new and existing systems.

Local Planning Authorities are advised by PPG8 not to question the need for the services which a proposed development is to provide and are encouraged to respond positively to telecommunications development proposals, especially where the proposed location is constrained by technical considerations, while taking account of the advice on the protection of urban and rural areas in other planning policy guidance notes.

In terms of the Local Plan the proposal would not be seen to have an adverse effect on the amenity of people living and working in the vicinity of the development site and the existing use of the adjacent land or buildings in accordance with policy 35. This will be discussed in more detail in the following subsections of the report.

14 Site sharing: -

The Government encourages mast and site sharing where appropriate. Operators are required to provide evidence to suggest to Local Planning Authorities that they have carefully considered the use of existing masts, buildings and other structures before seeking to erect any new mast regardless of size. The applicants have provided such information.

Members may recall that there is a T-Mobile mast situated some 26 metres south east of the proposed development site that was approved at a planning committee meeting in December 2009. There is also an existing Vodafone mast situated some 140 metres away within the haulage depot. Vodafone has been served a Notice to quit the existing site therefore they require a replacement mast. If approval is granted they have suggested that a condition is applied stating that the original Vodafone mast shall be removed within 3 months of the new development becoming operational.

The agent has provided information to support why the existing T-Mobile mast cannot be utilised. This mast is already shared by two operators therefore it would have to be significantly redesigned to accommodate all 3 operators. This would result in a bigger, taller mast meaning a much larger and therefore more prominent structure. Although the current proposal is for a single operator, Vodafone has joined a strategic partnership with O2 to share each other's structures. Whilst O2 do not currently need the installation it is anticipated that within the next few months they will be looking to share this site with

Vodafone. The proposed replacement Vodafone mast would be able to accommodate both operators, O2 and Vodafone, without the need for any change in design.

If Vodafone were to share the existing T-Mobile structure not only would it require a major redesign now, if O2 looked to share the site within a few months this structure would need to be reviewed again to accommodate four operators. It is considered that this would further increase the need to redesign the structure to an even bigger, taller mast and it is considered that this would have an adverse impact on the street scene. In addition, as T-Mobile and Orange have merged, Orange may well look to share this structure in the future. It is not considered that it would be feasible for potentially five operators to share the same mast without significant redesign of the mast as the existing mast would increase in height and bulk in order to accommodate the required equipment. The developers have opted not to pursue this option as they considered that the resulting structure would have a detrimental impact upon the area.

Following the Notice to Quit the existing site there is a requirement for a new proposal to ensure the continuation of the existing coverage, and the search area for a replacement site is significantly restricted. Vodafone therefore sees the chosen site as the one that provides the optimum environmental solution, taking into account their technical and operational requirements.

It would be preferable for the proposed development to combine with the existing Vodafone mast. However, given the existing Vodafone mast would be removed, that site sharing with the existing T-Mobile mast would result in a larger bulkier mast and that the development would help to ensure existing coverage levels are maintained it is not considered that a refusal could be justified on these grounds. Furthermore given that the development is unobtrusively sited, that it is set back from the road and that it is largely screened from view due to existing buildings and vegetation it is not considered that the proposed mast would adversely affect the appearance of the area.

15 Health considerations: -

Applications for Telecommunication Installations are often contentious and objections are made on various grounds. Particular concerns can be raised regarding the impact on public health of such installations. Accordingly, it is considered appropriate to address this issue for Members' information.

In response to growing concerns from the general public the Government commissioned the 'Independent Expert Group on Mobile Phones' to examine the impact of telecommunications apparatus on health. Sir William Stewart chaired the Commission and the report was published in May 2000.

The Stewart Report encouraged mast sharing and recommended that as a precautionary approach the International Commission on Non Ionizing Radiation Protection (ICNIRP) guidelines for public exposure be adopted for use in the UK rather than the National Radiological Protection Board (NRPB) guidelines.

In respect of base stations the Stewart Report concluded that 'the balance of evidence indicates that there is no general risk to the health of people living near to base stations on the basis that exposures are expected to be small fractions of the guidelines. However, there can be indirect adverse effects on their well-being in some cases.'

The Group recommended a precautionary approach comprising a series of specific measures to the use of mobile technologies until we have more detailed and scientifically robust information on any health effects.

For example PPG8 'Telecommunications' states: 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 minimum distances between new telecommunication development and existing development.

It should be noted that the High Court has overturned several appeal decisions where telecommunications development was refused due to the perception of fear against health and well-being of the resident population. The High Court in allowing the development made clear that so long as the development is undertaken in accordance with the ICNIRP standards then it should not be necessary for a Local Planning Authority in processing an application to consider the health effects further.

The applicants have indicated that the proposed telecommunications equipment is designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP), as expressed in EU Council recommendation of 12 July 1999.

16 Siting and design: -

In seeking to arrive at the best solution for an individual site, authorities and operators are encouraged to use sympathetic design and camouflage to minimise the impact of the development on the environment in terms of not only masts and structures but also materials and colouring. It is considered that the proposed siting and design of the proposed mast are acceptable.

The mast is a slimline monopole and would be located at the entrance to Shotton Airfield access road, adjacent to Shotton Colliery Industrial Estate. The mast is a considerable distance from the nearest residents (approximately 90 metres) and Shotton Primary School (approximately 240 metres) therefore as such would not have an adverse impact on the street scene or residential amenity sufficient to warrant refusal of planning permission.

The mast would be sited within close proximity to an industrial building and an existing mast both of which are coloured grey steel. As a significant part of the mast would be seen against the skyline, a mid grey colour would be appropriate.

17 Representations: -

Letters of objection have been received from a local resident, the medical surgery and the local ward councillor concerned about a number of issues relating to health, suitability of site, cumulative impact and property values. The majority of these issues have been addressed in earlier sections of the report. Property devaluation is not a material planning consideration.

CONCLUSION

18 Local Planning Authorities are advised by PPG8 not to question the need for the services which a proposed development is to provide and are encouraged to respond positively to telecommunications development proposals. It is considered that the applicant has satisfied concerns regarding why they cannot share the existing T-Mobile mast. Overall it is considered that the siting and design of the proposal are acceptable and it should therefore not unduly harm visual or residential amenity. There should not be a negative cumulative impact given that the existing Vodafone mast would be removed within 3 months of the new mast being erected. The applicants have provided information to show that their proposal is in accordance with the requirements of the radio frequency (RF) public exposure guidelines as expressed in EU Council recommendation.

19 Taking all relevant planning matters into account it is considered that the proposal is acceptable given that it accords with both national and local policy.

RECOMMENDATION

20 That the application be **APPROVED** subject to the following conditions;

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References; Declaration of ICNIRP Compliance, Health Effects Information, Design and Access Statement, letters of pre-application consultation, site specific supplementary information, Drg. No. 100, Drg. No. 101, Drg. No. 200, Drg. No. 300, Drg. No. 400, Drg. No. 500 all received 23/03/2011 and supporting technical information received 01/04/2011.
Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the District of Easington Local Plan.

3. Within three months of the approved mast being constructed and brought into use the existing Vodafone mast located at the Haulage Depot in Shotton shall be removed.
Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies:
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| DISTRICT OF EASINGTON LOCAL PLAN | ENV03 - Protection of the Countryside |
| DISTRICT OF EASINGTON LOCAL PLAN | ENV35 - Environmental Design: Impact of Development |
| DISTRICT OF EASINGTON LOCAL PLAN | GEN01 - General Principles of Development |
| PLANNING POLICY STATEMENT/GUIDANCE | PPG8 - Telecommunications |
| PLANNING POLICY STATEMENT/GUIDANCE | PPS1 - Delivering Sustainable Development |
2. In particular the development was considered acceptable having regard to consideration of issues of planning policy, site sharing, health considerations, siting and design.
3. The stated grounds of objection concerning health, suitability of site, cumulative impact and property values were not considered sufficient to lead to reasons to refuse the application because the proposed development is considered to be in accordance with both local and national policy. Furthermore, property devaluation is not a material planning consideration.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses

