

Application No: 11/0431C

Location : Grass Verge Adjacent Entrance To Berkshire Drive
Rood Hill Congleton Cheshire

Proposal: 19.8M High Joint Operator Street Furniture Type
Telecommunication Tower, 1no Equipment Cabinet, 1no
Meter Cabinet and All Ancillary Development

Applicant: O2 and Vodafone

Expiry Date: 28th March 2011

Ward: Congleton Town West

Date Report Prepared: 4th March 2011

SUMMARY RECOMMENDATION:

Refuse

MAIN ISSUES

- Principle of development
- Need & Siting
- Design and Street Scene
- Health Considerations and amenity
- Highways

REASON FOR REFERRAL

This application has been called in to Southern Planning Committee by Cllr G Baxendale for the following reasons:

*“- Streetscene matters as to height and position of the mast
- Highway matters as to the visibility splay for egress from Berkshire Drive onto the A34 highway”*

DESCRIPTION OF SITE AND CONTEXT

The application site is an area of highway verge on the northern side of Rood Lane near to the junction with Berkshire Drive. It is wholly within the Congleton settlement zone. Rood Lane is one of the main approaches to Congleton from the north and the immediate surrounding area is predominantly residential.

DETAILS OF PROPOSAL

Full planning permission is sought for a 19.8 metre high joint operator telecommunications tower incorporating 6 no antennas within a GRP shroud. The mast will be galvanised/grey finish. The mast will be sited within a proposed 3 metre by 3 metre tarmac area. The proposal also includes an equipment cabinet measuring 1898mm by 789mm and 1648mm high and meter cabinet measuring 655mm by 255mm and 1015mm high. The equipment and meter cabinets will be finished in fire green (RAL 6009).

RELEVANT HISTORY

No relevant planning history

POLICIES

Adopted Congleton Borough Local Plan First Review 2005:

- PS4 Development within the 'Settlement Zone Line' of towns
- E19 Telecommunications
- GR1 General Criteria for New Development
- GR2 Design
- GR6 Amenity
- Supplementary Planning Guidance Note 9: Telecommunications Development.

Other Material Considerations

- PPG8: Telecommunications
- Code of Best Practice on Mobile Phone Network Development (ODPM 2002)

CONSULTATIONS (External to Planning)

Strategic Highways Manager

The Strategic Highways and Transportation Manager has assessed this application and offers the following comments:

- There will no significant impact on the surrounding highways infrastructure as a direct result of this development.
- No highways objections.

Further clarification was given with specific regard to visibility as follows:

- Confident that the existing visibility splays will not be compromised as a direct result of this proposal.

Environmental Health

This department believes that it is the role of national agencies such as the Independent Expert Group on Mobile Phones (IEGMP) and the Health Protection Agency (HPA) that incorporates National Radiation Protection Board (NRPB) to assess the pro's and con's of

relevant research and provide, to central government, an expert balanced view relating to the legislative framework of the UK as a whole.

We then at a local level take our lead from guidance provided, typically regarding this topic, :- PPG 8 (Telecommunications) which states that local planning authorities (this includes Cheshire East Borough Council) should not implement their own precautionary policies with respect to these installations. Determining what measures are necessary for protecting public health rests with the Government.

Given the above and providing the applicant can demonstrate that the installation meets the ICNIRP (International Commission on Non-Ionizing Radiation Protection) guidelines for public exposure limits, there would be no health grounds for refusing the application.

VIEWS OF THE TOWN COUNCIL:

None received at the time of writing the report.

OTHER REPRESENTATIONS:

Letters of objection have been received in relation to the proposal from the occupiers of:

- 9 Rood Hill, Congleton, CW12 1NA
- 6 Berkshire Drive, Congleton CW12 1SB
- 62 Berkshire Drive, Congleton, CW12 1SA
- 64 Berkshire Drive, Congleton CW12 1SA
- 2 Wellington Close, Congleton CW12 1TA
- 9 Wellington Close, Congleton CW12 1TA

In summary the original objections relate to:

- Detrimental effect on health of local residents;
- Application should be rejected until World Health Organisation has reviewed body of evidence and made a definitive statement;
- Many properties would overlook the mast;
- House prices in the area will fall;
- There are more suitable locations in Congleton;
- The height and position of the tower will make it a very prominent feature;
- It will have an adverse impact on the local landscape character;
- It will tower above surrounding features;
- It will spoil the view;
- It is on a main approach to the town and will diminish the impression of visitors;
- The mast is not necessary as there are several in Congleton already;
- The siting would be dangerous and cause disruption on this busy road
- Maintenance would cause further problems;
- The equipment will obstruct visibility exiting Berkshire Drive;
- Possible increase in size in the future;
- Concern about television and satellite television reception interruption;
- A large number of properties will be in the main radial beam;

In addition a petition to urge the Council to deny planning permission with 78 signatures has been received.

APPLICANT'S SUPPORTING INFORMATION:

- Declaration of Conformity with ICNIRP Public Exposure Guidelines;
- General Background Information on Radio Network Development for Planning Applications;
- Health and Mobile Phone Base Stations document;
- Site-specific Supplementary Information;
- Supporting Technical Information for O2 and Vodafone showing coverage plots;
- Design and Access Statement.

OFFICER APPRAISAL

Principle of Development

Development is acceptable within the settlement zone line of towns provided that it is in keeping with the towns' scale and character and does not conflict with other relevant development plan policies.

Need & Siting

Government guidance aims to facilitate new telecommunications development, and consideration needs to be given as to whether all suitable alternative locations have been explored. PPG8 and Policy E19 of the Local Plan encourage mast and site sharing and encourage the use of existing buildings and structures.

As part of this application an exploration of alternative sites has looked into the options of siting the equipment on the following sites; Tesco Superstore, Congleton Retail Park, Congleton Business Park, NW Water Treatment Works, Congleton Park, Eaton Bank Trading Estate, Congleton Ambulance Station, The Grove Inn, Vauxhall Garage, various street furniture locations and agricultural land north west of target area. These options were discounted for various reasons, although the topography of the area is a particular constraint in finding a suitable solution within the designated search area which could address the present coverage deficit. Given that the site selection process has explored the suitability of alternative sites and the residential makeup of the area the erection of a new street works mast is not wholly objectionable in this circumstance. In addition it is recognised that this mast will offer site sharing as it will provide coverage for two operators negating the need to provide additional masts to cover the 3G network.

On this basis it is accepted that the operator has complied with guidance and explored suitable alternative sites within this search area which is predominantly residential.

Design and Streetscene

The proposed telecommunications tower has been designed as a slim monopole solution to mimic other street furniture. This design is considered to be a sympathetic solution in a highway verge location such as this and reduces the visual impact of the equipment within the streetscene. It should however be noted that in the immediate vicinity the lampposts are older concrete type poles although there are the newer type galvanised street lamps within close proximity. However at the proposed height, 19.8 metres, the telecommunications tower will be a highly prominent feature in the streetscene, and considerably higher than other street furniture in the locality. Whilst it will be seen against a backdrop of trees from some positions, this is not significant enough to negate the

detrimental impact a mast at this height would have on the visual amenity of the area. Furthermore the site is in a prominent position with Rood Lane sloping steeply down to the south. This further emphasises the mast within the streetscape and at nearly 20 metres in height it would be an unacceptably prominent feature.

The applicant has stated that the height of the tower is required to meet minimum operational requirements. However further coverage plans have been provided for alternative heights, 15 metres and 17.5 metres respectively. Whilst it is accepted there will be a reduction in coverage at a lower height, it is not considered that the reduction in coverage at a lower height balanced against the significant harm caused by a mast at the proposed height is sufficient to overcome the objections to this proposal.

Health Considerations and Amenity

With regard to any perceived health risks, PPG8 states:

‘...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.’

The advice offered by the Government’s advisors, the National Radiological Protection Board is that “the balance of evidence indicates that there is no general risk to the health of people living near base stations”. It is the Government’s view that if a proposed development meets the ICNIRP guidelines as recommended by the Stewart Report, it should not be necessary for a local planning authority to consider health effects further. It is confirmed that the installation complies with the requirements of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure and that the Certificate produced by the operator takes into account the effect of the emissions from mobile phone network operators on the site. It is not considered therefore, that health considerations could form the basis of a substantial reason for refusal.

Objections have been received relating to the impact of the proposal on property value. It is not for the planning system to protect the private interests of one person against the activities of another and PPG8 notes *‘the material question is... whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected.’* The impact of the development on property value would not form the basis of a substantial reason for refusal.

Highways

Objections have been received relating to the siting of the mast and associated equipment cabinet in relation to Berkshire Drive and its impact on highway safety. The mast will be sited approximately 2 metres back from the kerb and the equipment 3 metres back. In this position it is not considered that the equipment will obstruct visibility for vehicles exiting Berkshire Drive to the detriment of highway safety. Furthermore the Strategic Highways Manager has raised no objections to the proposed siting of the mast and has confirmed he is satisfied that the proposal will not compromise the existing visibility splay. As a result it is considered the proposal would not raise any highway safety implications.

CONCLUSIONS

The siting of base stations is a highly emotive area of planning and is dictated largely by the need to provide coverage to populated areas. It is rare for such development to be sufficiently remote that no objections are raised from residents. Alternative sites have been considered as part of the selection process and have been rejected for a number of reasons including site owners being unwilling to accommodate the equipment, too far from the search area, and unable to provide the required level of coverage due to the local topography. However the proposed telecommunications tower, at a height of 19.8 metres would represent a very prominent feature in the streetscene not in keeping with the surroundings. It would be significantly higher than the surrounding properties and street furniture, and would create an alien and intrusive feature that has a detrimental impact on the visual amenities of the area. This is especially relevant in this built up residential area and prominent location. The proposed development is therefore not acceptable for these reasons

RECOMMENDATIONS

Refuse for the following reason

- 1. The proposed development by reasoning of its height in this prominent location within a largely residential area would represent a visually incongruous insertion that would adversely affect the visual amenity of the area of the area. The proposal is therefore contrary to Policies E19 and GR2 of the Congleton Borough Local Plan 2011 First Review 2005.**

Location Plan: Cheshire East Council Licence No. 100049045

