

TWC/2015/0448

Telecommunications Mast, Old Park Way, Old Park, Telford, Shropshire
Replacement of existing 14.8m monopole with a 21m monopole and the installation
of 1no. dish and ancillary development

APPLICANT

Vodafone Ltd,

RECEIVED

22/05/2015

PARISH

Lawley and Overdale

WARD

Ketley and Overdale

OFFICER Matthew Thomas

The application is before Committee at the request of Lawley & Overdale Parish
Council and Ward Councillors John Ashford, Mark Boylan and Joy Francis.

OBJECTIONS RECEIVED: Yes

1.0 PROPOSAL

- 1.1 This application seeks planning permission to replace an existing 14.8m high telecommunications monopole for a 21m high telecommunications monopole together with a 300mm dish and a 3no. antennas enclosed within a shroud/sheath. The structure is located on a grass verge adjacent to the highways off Old Park Way, to the south of the Mossey Green Way roundabout in Telford. The replacement structure will be sited approximately 4m away from the current position, closer to the roundabout, and will be set on a square pad foundation which will then be grassed over. The proposed scheme involves the retention of 2no. existing equipment cabinets with internal works where applicable and the swap-out of 1no. existing equipment cabinet for new. These cabinets will be set back from the highway edge and be located up against the existing hedge.
- 1.2 The existing structure, to be removed and replaced, has two sets of three numbered antennas stacked one above the other and the proposed new apparatus will accommodate three numbered antennas contained within a shroud. The new antennas will have dual user capabilities which will allow for use by both Vodafone and O2 network providers and will be concealed within a cylindrical shroud to the upper most section of the mast. The monopole will be coloured light grey and the cabinets green. The proposed upgrading of the base stations is required to retain the continued need for both coverage and capacity of the existing networks and the proposed height of the structure will cater for future 4G coverage demands within the area.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site consists of a wide grass verge to the east of Old Park Way which has lamp posts alongside it, road signage towards the Mossey Green Way roundabout and a belt of mature trees along the back edge of the verge on both sides of the road. Save for a gap where a footpath dissects

them, the trees serve to screen the road from residential properties to the east and west.

- 2.2 The closest neighbouring property is situated approximately 55m away on the opposite side of the Old Park Way, behind the belt of trees.

3.0 RELEVANT HISTORY

- 3.1 W2003/1240 – Determination under part 24 of the GDPO for the installation of a 12m streetworks monopole with shrouded tri sector antennas, 2no. equipment cabinets and 1no. meter cabinet – Telecommunication Determination Approval (05/12/2003)
- 3.2 TWC/2011/0013 – Prior Notification under Part 24 for erection of a 14.8m high telecommunications monopole with 6no. antennae and equipment cabinet to replace existing 14m high monopole with 3no. antennae – Telecommunication Determination Refusal (26/01/2011)

Appeal submitted following decision (Ref: APP/C3240/A/11/2156276)
Appeal Allowed (11/10/2011)

4.0 RELEVANT POLICIES

- 4.1 National Planning Guidance:
National Planning Policy Framework
- 4.2 Wrekin Local Plan:
T21 Telecommunications
- 4.3 Supplementary Planning Document:
Telecommunications (May 2009)

5.0 SUMMARISED CONSULTATIONS

5.1 Standard consultation responses

Lawley & Overdale Parish Council: Object

- Previous decisions
- Highway issues
- Public safety & well being
- Physical infrastructure
- Visual appearance, character of the area

The Coal Authority: No comments received

Shropshire Fire Service: No comments received

Ward Councillors John Ashford/Cllr Mark Boylan/Cllr Joy Francis: Object

- Larger mast will be more visible
- Health impact of masts close to residential areas are inconclusive

- Need for a larger mast is unclear

5.2 Neighbour consultation responses

Following neighbour consultation 19 letters of objection were received raising the following summarised issues:

- Existing apparatus is an eyesore and the proposal will exacerbate this
- Proposed height of mast is disproportionate with the residential surroundings and will be visible from a significant distance
- Concerns regarding highway safety – potential distraction to drivers
- Long term health effects are unknown and studies say longer period of time is required to assess this. Concerns that the proposal will have adverse impacts on both physical and mental health of local residents
- Local residents are known to have suffered from illnesses such as cancer and are concerned that the proposal will have adverse impact on long term health
- Sited close to the kerbside without protective safety rails in case of vehicular collision and also close to a well-used pedestrian footpath/cyclepath
- Mast is ugly and unsympathetic with the greenery and landscape on a prominent and busy arterial route through Telford
- Enlarged infrastructure to service the plot will be enlarged and create ugly spread of electrical equipment in a pretty landscaped area
- Potentially sited too close to the existing highway drainage system
- The reasons stated for the increase in height are generalised and vague and not specific to the site and therefore not well considered in the interests of the local community, amenity and visual impact on the site
- More suitable sites available elsewhere away from residential properties
- Potential adverse impact on longevity of trees
- Development should seek to enhance local area and living conditions – this proposal fails to do either
- Inadequate consultation with homeowners of Old Park
- In 2011 Vodafone applied for planning permission to replace the existing mast with a larger one and TWC rejected the application however this decision was overturned at appeal and the new mast was erected
- New street lighting is much enhanced and brighter
- Adverse impact on property prices

6.0 **PLANNING CONSIDERATIONS**

6.1 Having regard to the development plan policies and other material planning considerations, including comments received during the consultation process, the planning application raises the following main issues:

- Principle and need for the development
- The effect on the character and appearance of the area
- Health Concerns

Principle and need for the development

- 6.2 In December 2003 the Local Planning Authority granted approval for the installation of a 12m monopole with shrouded antennas, two equipment cabinets and one meter cabinet. The apparatus was subsequently erected in early 2004.
- 6.3 In January 2011, the Local Planning Authority refused permission for the replacement of the existing monopole with a 14.8m high mast and 6 shrouded antennas. The applicant subsequently appealed the Council's decision and the Planning Inspector overturned the decision and allowed the development.
- 6.4 The Inspector found that the detailed evidence provided by the appellant 'indicated a clear need for the development'. The report made further reference to 'the fact that the new mast would be designed to allow 2 companies to share it, something that is specifically encouraged by Policy T21 of the Wrekin Local Plan'.
- 6.5 Policy T21 (Telecommunications) of the Wrekin Local Plan states the following; 'Subject to balancing the need for telecommunications systems and the need to protect amenity and the environment...the Council will grant planning permission for telecommunication developments provided that applicants have provided evidence that they have made every possible effort to erect the apparatus on existing buildings, masts, or other structures and where possible, shared apparatus with other operators'. The policy continues that 'any development should be designed and sited to minimise its visual impact'.
- 6.6 The National Planning Policy Framework (NPPF) states that 'advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services. The NPPF advises Local Planning Authority's to keep such development to a minimum and where possible use existing masts and to be 'sympathetically designed'. In addition, 'Local Planning Authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure'.

Effect on the character and appearance of the area

- 6.7 It is necessary to clearly establish how the existing apparatus will change as a result of the proposed development and then consider how this change will impact on the character and appearance of the local area.
- 6.8 The existing base station is well-established with the current apparatus having been in situ for approximately 3 years, with the previous mast being in situ for approximately 8 years previous. As the Inspector noted in his appeal decision 'against the backdrop of the trees...the existing lamp posts and other street

furniture' the existing mast is not an incongruous addition to the street scene and does not naturally draw the eye. When seen from a distance, the existing mast does not appear as a dominant feature and when viewed close up, its height is somewhat negligible. The Inspector concluded that 'the development would not result in unacceptable harm to the character and appearance of the locality'.

- 6.9 The proposed development will bring about the following primary visual changes:
- Slight relocation of the mast – approximately 4m closer to the roundabout and sited marginally further away from the highway
 - Replacement monopole with a total height of 21m – a difference of 6.2m taller than the existing mast
 - Addition of a 300mm dish, fixed to the upper most section of the mast and new shrouded antennas
- 6.10 Whilst there are other alterations proposed including works to the existing cabinets, new foundations and so forth, these works will have a negligible impact on the overall street scene appearance. The colour of the proposed mast will be light grey, same as the existing, and the cabinets will remain coloured green. The antennas in this instance have dual user and technology capabilities and would be concealed within a cylindrical shroud which is integral to the upper most section of the monopole. Furthermore the dimensions of the monopole are slim-line and are the thinnest available whilst allowing the equipment to be fit for purpose.
- 6.11 In assessing how the proposals will affect the character and appearance of the area the Local Planning Authority must give consideration to the findings of the Planning Inspector of the previous appeal, which is a material consideration. At the time of the appeal, the Inspector noted that; "The pole and equipment would be larger than that currently found but they would retain the same neat siting and be situated some 50m from the nearest residential property. Against the backdrop of trees the effect of the development would be minimal. Views to residential properties are broken up by the tree screen and any visual relationship with the surrounding built form would also be minimal. Given the existing lamp posts and other street furniture in the locality the development would not be an incongruous addition to the street scene; it would not draw the eye." For these reasons, the Inspector did not consider the development would result in unacceptable harm to the character and appearance of the locality.
- 6.12 Whilst appreciating the proposed changes which this proposed development would bring about, the Local Planning Authority considers the Inspector's findings noted above remain valid for this proposed development, and that when considered in the context of the appeal decision, the changes now proposed will not be so significant as to warrant a different decision to be taken now. Nearby residential properties are situated at a suitable distance away from the site, in excess of 50m, and the existing tree belt will continue to serve to screen the site from residential properties to the east and west. Given the scale of development and the changes proposed, officers are

satisfied that the development will not undermine the visual appearance of the area and will not be overly intrusive within the street scene.

Health concerns

- 6.13 Concerns have been raised by local residents with regards to how the proposed development may affect their health. At the previous appeal local concerns were raised regarding the effect of the development on the health of local residents. Little objective evidence to support these concerns was received and at that time Government advised that 'if a proposed mobile phone base station meets the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure to radio waves it should not be necessary for a planning authority to consider further the health aspects of the proposal'. The Inspector found that because the emissions from the mast would be 'well within the ICNIRP guidelines', on balance, the health concerns of local residents were insufficient to justify dismissal of the appeal.
- 6.14 An ICNIRP Declaration accompanies this planning application and this certifies that the site is designed to be in full compliance with the requirement of the radio frequency guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP) for public exposure as expressed in the EU Council recommendation of July 1999. The declaration produced by Vodafone Ltd takes into account the cumulative effect of the emissions from the proposed installation and all radio base station present at, or near, the proposed location.
- 6.15 The applicant has confirmed the following statement with regards to the conformation of the declaration:

All operators of radio transmitters are under a legal obligation to operate those transmitters in accordance with the conditions of their licence. Operation of the transmitter in accordance with the conditions of the licence fulfils the legal obligations in respect of interference to other radio systems, other electrical equipment, instrumentation or air traffic systems. The conditions of the licence are mandated by Ofcom, an agency of national government, who are responsible for the regulation of the civilian radio spectrum. The remit of Ofcom also includes investigation and remedy of any reported significant interference.

Other Matters

- 6.16 Finally; another issue raised by local residents relate to highway safety. During the previous appeal the Inspector found that there was nothing before him 'to corroborate the view that the development would compromise highway safety'. Again, whilst the Local Planning Authority appreciates the nature of the changes proposed, it is unlikely that the proposed monopole will adversely affect highway or pedestrian safety.

7.0 CONCLUSIONS

- 7.1 A base station and 12m high telecommunications monopole was first granted at this site back in 2003, and a taller mast was allowed on appeal in 2011 where a need was confirmed, so the existing base station is well-established. Officers consider that the scale of the proposed changes that will come about as a result of this replacement monopole will not undermine the overall visual appearance of the area and will not be overly intrusive within the street scene beyond what is currently there. Nearby residential properties are situated at a suitable distance away from the site, in excess of 50m, and the existing tree belt will continue to serve to screen the site from residential properties to the east and west.
- 7.2 An ICNIRP Declaration accompanies this application which certifies the site is in full compliance with national guidelines. Furthermore, there will be negligible impact on highway safety.
- 7.3 For the reasons given above, the Local Planning Authority concludes that there would be no material harm to the character and appearance of the area and finds no conflict with the aforementioned planning policy.

8.0 RECOMMENDATION

Based on the above conclusions, it is recommended that the Committee GRANT PLANNING PERMISSION subject to the following conditions and informatives:

Conditions

1. A04 Time limit
2. C38 Development in accordance with plan Nos.
3. Cus Removal of existing mast following development

Informatives

I17a(Coal Authority)
I40, I41, RANPPF1