

Item 6 **10/00122/TEL** **Prior Notification for Telecom - Refusal**

Case Officer **Mr Matthew Banks**

Ward **Astley And Buckshaw**

Proposal **Prior Notificaion for the erection of a 15m pole antenna and 2 associated ground base station equipment cabins (1.48m X 0.35m X 1.5m)**

Location **Land 5m North West Of 2 Studfold Chancery Road Astley Village Lancashire**

Applicant **Telefonica O2 UK Ltd**

Proposal This application is for a prior notification for the erection of a 15m high pole antenna and two associated ground base station equipment cabins at land 5m north west of No. 2 Studfold, Chancery Road, Astley Village.

Recommendation Refusal to grant prior approval; The Council wishes to consider further the siting and design of the proposal.

Main Issues Prior Approval applications allow for consultation in respect of a proposal which can be built using Permitted Development Rights. With regards to a telecommunications mast, if the local planning authority does not object to it within 56 days, such developments are deemed to have planning consent. Local planning authorities determine the acceptability of a Prior Approval application only in terms of siting and design. Therefore, the only issues for consideration in determining this application are:
- The siting and design of the proposal.

Representations To date, a total of 98 letters of objection have been received. It should be noted that of the 98 letters received, 87 are a standard letter signed by different residents. The contents of all the representations can be summarised as follows: -

- The proximity of the mast in relation to the nearby homes and schools makes the site wholly inappropriate;
- There are other more suitable locations, including mast sharing arrangements which are not within close proximity to the houses;
- The mast, at a height of 15m would be visually intrusive in appearance, forming an unnecessary additional piece of street furniture which would cause serious harm to the surrounding landscape and would be out of keeping with the area;
- The mast could distract drivers and cause accidents;
- The mast would seriously endanger the health and lives of all people, particularly children in the area by way of radiation;
- The submitted plans are misleading, indicating that the height of the nearest property is approximately 8.8m when it actually reaches a height of approximately 5.8m;
- The associated equipment boxes would have a detrimental visual appearance on the surrounding

streetscape.

Astley Village Parish Council have objected to the proposal stating the following:

- The antenna and equipment would be sited too close to a heavily populated area and only 5m from the nearest residential property;
- There are other viable areas for siting the mast within the vicinity;
- The submitted plans were misleading;
- Damage would be caused to the grass verge, forward of the proposal during construction and maintenance;
- There is no safe parking provision for the construction and maintenance of the proposal;
- The Parish Council have provided examples of other more favourable locations, these are:
 - The Rugby Club, which already has an antenna;
 - Westway, which has no nearby properties;
 - Euxton Lane/Westway roundabout, which has no nearby properties;

Consultations

Lancashire County Council (Highways) do not object to the application, but suggest that the apparatus should be located to the south side of the footway/cycleway rather than the north side.

Assessment

This is a prior notification application and therefore the issues to be addressed are the siting, design and external appearance of the proposal.

Planning Policy Guidance 8: Telecommunications (PPG 8) 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. It sets out the relevant planning policy and guidance, sets out the prior approval scheme under part 24 of the GDPO and also raises the necessary technical developments within the telecommunications industry.

Policy PS12 of the Local Plan Review states that the Council will permit utility services development where there are no overriding environmental objections to either the siting or appearance of the installation and when all of the following criteria are satisfied:

- a) Development is part of a planned expansion;
- b) No operationally suitable alternative sites with less environmental impact are available;
- c) No reasonable possibility of sharing existing facilities;
- d) No reasonable possibility of erecting antennae on an existing building or structure;
- e) The visual impact of the development on the landscape has been minimised, subject to technical limitation.

The proposed installation is needed to provide 3G coverage to the Astley Hall area of Chorley. The applicants have provided information in accordance with criteria (b), (c) and (d).

PPG 8 states that operators are continually expanding their networks to accommodate customer requirements of service and quality and the greatest demand is in built up areas. With regard to this, the applicant has provided coverage maps indicating the need

for improved coverage in the Astley Village area which is a material consideration in determining the application. With regard to site selection and the associated constraints at alternative sites, the applicant considers the chosen site on Chancery Road as the only viable solution.

The applicant has considered alternative sites which have been discounted through a sequential test. These range from other highway related sites, to sites on a public house, commercial premises and greenfield sites. In addition, site sharing with existing masts has been considered at Washington Lane, Euxton Lane and the Railway line, Chorley. However, in all instances the existing masts are considered too far from the target area to provide the required level of coverage.

With regard to the siting and visual impact of the mast, the applicant argues that given the presence of other linear features in the area and the lack of more suitable alternative sites, the proposed site is the most suitable option. The applicant states that a slim-line monopole would be in keeping with the immediate streetscape and would be viewed in the context of the surrounding street furniture. It is considered that the site at Astley Village is predominately residential in character and has a main road (Chancery Road) with a large adjacent grass verge running through it. The applicant appreciates that the proposal will be visible to pedestrians and road users and there will be localised impact from the development. However, the applicant feels that the trees (situated immediately to the south) will cover its height, and painting it an appropriate colour (green) would soften its backdrop to the road, not causing any significant detrimental impact on neighbour amenity.

PPG8 advises that sharing masts should be a priority to keep the number of masts to a minimum. This has been considered by the applicant; however, because of inadequate coverage problems at existing sites, this would not be viable. PPG 8 also advises on siting and design, stating innovative design solutions may be adopted including those, which look like street furniture. This is not the case here, where it is proposed to erect a monopole, which would rise significantly above the surrounding street furniture by approximately 3m and would appear visible on the skyline. PPG8 suggests a number of factors to consider concerning siting, such as the height of the site in relation to the surrounding land, the existence of topographical features and vegetation, the effect on the skyline, the site when observed from any side and the site in relation to residential properties and others.

The site location is an area comprising many street features on a stretch of highway verge, incorporating cycle track and footway at Chancery Road, Astley Village. The significant elements in the surrounding streetscape are lighting columns, trees separating the adjacent properties from the verge and a backdrop of standard sized two-storey residential properties. Chancery Road is a road which serves a number of residential properties and forms the main route through Astley Village but has a domestic scale to it. The mast is situated on the outside of a bend which is particularly open and sweeping and views from the mast would be visible from a good distance away, exacerbating its prominent visual impact.

The mast will be situated approximately 2.5m from the adjacent

trees lining Chancery Road. Nearby street furniture comprises approximately 12m high streetlights and houses (particularly No. 2 Studfold) which reach a height of no more than 6m. Although the trees situated to the south reach a height of approximately 12m and form a partial backdrop, the surrounding landscaping and housing types are consistently smaller and subordinate to the proposal. This will further increase the masts dominance in the streetscene and serve to draw attention to it as it will be approximately 3m higher than any other features it will be seen in the context of. In this context, the mast would appear very prominent and alien within the immediate area. It has also been noted that although mast sharing between operators is encouraged, single operator poles are slimmer whereas the dual operator poles (as proposed in this case) are more visually prominent and have a greater impact on the streetscene (an example would be the mast found 25m south east of Clayton Green Library, Chorley: 09/00956/TEL). Therefore, it is considered that the mast, by virtue of its height and bulky top heavy nature, would appear a very dominant feature in the area.

It has been noted that the mast will be painted green to try to aid its integration into the immediate streetscape comprising the nearby trees; however, when viewing the mast from both east and west directions, it rises considerably above these trees and so the top of it will be viewed against the skyline. Its green colour will therefore draw attention to its height and will be viewed as a dominant feature rather than sitting inconspicuously alongside the existing lighting columns.

The mast will sit higher than the adjacent streetlights and trees and it is considered that there are no significant street features close enough to the mast to mitigate or significantly reduce its prominence in the streetscene.

It is not considered that the associated ground base stations would be overly prominent within the area and are a common feature found in similar residential neighbourhoods of this nature.

The local planning authority does not consider that the sequential test is thorough enough in looking at alternative sites in the area with a less environmental impact, or enough evidence has been submitted as to why these alternative sites are not comprehensive enough.

Other Matters

PPG8 states that health consideration and public concern can in principle be material considerations in determining planning applications and prior approval applications. However, it remains Central Government's responsibility to decide what measures are necessary to protect public health rather than the local planning authority. It has been noted that a number of residents have raised concerns regarding health, particularly of children in the area. However, in the Government's view, if a proposed mobile phone base station meets the International Commission for Non-Ionising Radiation Protection guidelines (ICNIRP) for public exposure, it is not necessary for the local planning authority to consider further the health aspects and concerns about them in processing such an application. The appellant has confirmed that the apparatus operates well within these guidelines and has provided an 'ICNIRP Declaration' Certificate stating that the mast will fully conform to the relevant guidance on radiation. Taking into account all the circumstances relative to this proposal, I conclude that the perceived concerns about health do not justify a refusal.

Residents have raised concerns with regards to the erection and maintenance of the mast and the consequential impact on the grass verge to which it is sited. However, it is considered that this would not be materially different than if the nearby lamp posts were to undergo maintenance issues, which also would have no specific parking provision. In addition, Lancashire County Council Highways have not objected to the proposal in relation to this issue and it has been noted the mast is designed as a low maintenance structure, with most of the technical upkeep done through the accompanying ground base stations.

With regards to the submitted plans, residents raised concerns that these were misleading as the nearby property No. 2 Studfold was shown as reaching a height of approximately 8.8m, when it is in fact approximately 6m. The applicant has acknowledged that this could be interpreted as misleading and it could show an inaccurate relationship between the mast and nearby features. However, it should be noted that it is not a requirement of the applicant to indicate surrounding features such as the house on any submitted plans, though they are often included for information. Although these issues could have an impact on people's interpretation of the proposal, the local planning authority could not refuse the application on these grounds and the application has been assessed on using the correct height of No. 2 Studfold.

Residents have also raised concerns with regards to the detrimental effect that the mast would have on house prices. They also showed concern as to how the mast could potentially cause road traffic incidents and specific damage to the occupiers of No. 2 Studfold.

The effect that such a proposal may have on house prices is not a planning matter and should not be taken into consideration whilst determining this application. With regards to safety concerns in relation to the mast, there have been no objections to the proposal from Lancashire County Highways; therefore it is considered that the siting of the mast is safe in terms of traffic flow and function.

Overall Conclusion It is considered that siting the mast in the location proposed would result in a prominent feature in the streetscene, and although the applicant has tried to design the mast to blend into the surrounding area, it would dominate the existing street furniture and key features such as housing. Locating a tall telecommunications mast here would detrimentally harm the visual amenities of the streetscene/ locality in the position proposed especially as it is positioned on the outside of a bend and therefore, viewed from a number of locations on Chancery Road. It has been noted that efforts have been made to incorporate the mast into the existing streetscape, but it is considered that the scale and size of the surrounding features are unsuitable to effectively do this. It is noted that there are other sites in the locality where mast siting would be less intrusive and for the reasons listed above, prior approval should be refused as the proposal would not comply with all the requirements of PPG8 and Policy PS12 of the Local Plan Review.

Planning Policies

National Planning Policies:
Planning Policy Guidance 8: Telecommunications - PPG 8

Planning History There is no relevant history in relation to the application site

Recommendation: Prior Notification for Telecom - Refusal

Reasons

1. The proposed development is contrary to PPG8 and Policy PS12 of the adopted Chorley Borough Local Plan Review in that it will be unduly prominent and intrusive within the streetscene and detrimental to the character and appearance of the area by reason of its siting and appearance. Furthermore the Council is not satisfied the applicant is seeking to meet their operational needs in a manner which minimizes environmental and visual impact.
