

Parish: CAPEL ST MARY

Location: Telephone Exchange, The Street

Proposal: Erection of 18m high radio monopole (replacement of existing 12m radio monopole)

Applicant: BT Plc

Case Officer: Gareth Durrant

Date for Determination: 02/02/2010

This application is referred to Development Committee at the request of the Local Member. A panel of Members inspected the site on 27 January 2010 to assess the impact of the proposal upon the area and the adjacent school.

THE SITE

1. The application site is the existing Telephone Exchange in The Street, Capel St Mary. It is within the built up area boundary of the village as defined in the Babergh Local Plan (Alteration No.2 – 2006). The site is rectangular in shape and has a width (and frontage) of 12.5 metres and a depth of 25 metres. It contains a telephone exchange building sited approximately at its centre. An area of hardstanding is in situ in front of the building to provide vehicle parking and manoeuvring areas with vehicular access provided towards the southern corner. The rear part of the site is grassed and contains an existing 12metre high radio monopole, a small number of telegraph poles and, towards the boundaries, some mature trees. The site boundaries are marked by chain linked fencing. A public footpath abuts the entire north-west boundary of the site.

THE PROPOSAL

2. The proposal is for full planning permission for the erection of an 18 metre high radio monopole. An existing 12 metre high monopole would be removed. The monopole is proposed to be erected to the rear of the existing telephone exchange building, adjacent to the position of the existing monopole. The monopole would be galvanised steel.
3. A design and access statement has been submitted in support of the application and is summarised as follows;
 - *The existing monopole supplies service via a point to point radio for several customers and has been in place for many years with no known objections from local residents.*
 - *Unfortunately, the monopole is not high enough to support the customers we have and to give reasonable service to point to point radio. This is why, after careful consideration over the size of the proposed monopole in a partially residential area, we have decided to proceed with the option.*
 - *The position of the pole is critical to give radio line of sight to the locations that it serves (Raydon Water Tower & Cellphone sites). Due to this, we have tried to locate the new pole position as close as possible to the existing one. Trees in the neighbouring properties provide some screening for the proposed pole.*

- *It should be noted that this proposal is not for a mobile phone cell site.*
- *Cable/fibre costs have been examined and ruled out as impractical, due to large distances involved and problems with wayleaves required for cable ducting.*
- *Environmental issues such as view from the road have been addressed initially with the installation of the original monopole and the replacement monopole will be fairly well hidden by the telephone exchange building and trees.*

RELEVANT HISTORY

4. 2000 – Notification under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 for the erection of a 15 metre high monopole and equipment was withdrawn by the applicant before being determined by the Council. Ref: B/00/01682/TEL.
5. 1975 – Planning permission granted for the erection of an automatic telephone exchange. Ref: B/74/00812/FUL.
6. 1971 – Planning permission refused for erection of a close-boarded fence around telephone exchange. Ref: W/7571/2.
7. 1967 and 1968 – Outline planning permission granted and, subsequently, reserved matters approved for the erection of a telephone exchange. Refs: W/7571 and W/7571/1.

NATIONAL GUIDANCE

8. **PPG8** (Telecommunications)

PLANNING POLICIES

9. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and saved policies in the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan - 2008

- **ENV7** (Quality in the Built Environment)

Babergh Local Plan (Alteration No.2) 2006

- **EN26** (Telecommunications)

The relevant documents can be viewed via the internet. Please see Page 4 for details.

CONSULTATIONS

10. PC – recommend approval.
11. LHA – does not wish to restrict the grant of planning permission.

12. Suffolk County Council (Footpaths) – have no objections to the application, note the public footpath in the vicinity of the site and provide advisory comments to the applicant/developer regarding impacts to the footpath, particularly during construction phases.

REPRESENTATIONS

13. Councillor Carpendale has provided the following comments;
- I was at the Capel St Mary Parish Council meeting on Monday 11th January, when residents living nearby the proposed larger telephone mast at the Exchange, made it known that the timing of their notification was such that they had not been able to register their concerns at the Parish Council when the application was formally considered. It was obvious that they would have raised strong objections, and felt that the taller mast would impact adversely on their newly purchased property - not just to its amenity and value but, possibly, they might not have made the purchase had they known.
 - Concerns remain over the proximity of these masts, from a health and safety point of view - it is also close by a school as well as people's homes - and also there is the matter of its visual impact. The health concerns might remain unproven and subject to debate, but the fear and anxiety generated by them certainly blight people's lives and their property values. The residents' objections may or may not have influenced the response to Babergh of the Parish Council.
14. A petition has been submitted to the Council containing 106 names. The following statement is made at the beginning of the petition;
- The undersigned object to the proposed development and urge the Planning Committee to refuse planning permission on the grounds that;
 - i) The monopole represents a potential danger to the residents of the village and occupants of Capel St Mary primary school and pre-school facility due to Electromagnetic radiation. We would like to see the original pole decommissioned and removed.
 - ii) The severe environmental impact of an 18m radio monopole.
15. Petition letters (identical letters, with individual addresses and signatures) have been received from 33 households. The following statements are made in the letters;
- Please register my objection to the erection of an 18m monopole in the village of Capel St Mary.
 - i) The location is next to a school and pre-school.
 - ii) The height is such that it will dominate the skyline in Capel.
 - iii) Possible health related problems due to Electromagnetic radiation.
16. Fifteen letters of objection were received from local residents. The issues and objections raised are summarised as follows;
- We do not want an 18 metre pole complete with all sorts of transmission devices on our skyline.

- The value of our property will be affected and we would expect compensation and a reduction in Council Tax.
- Why is it necessary for the mast to be increased in height? Are there any alternative solutions (i.e. underground cables). What is the existing mast used for? Will there be additional equipment installed? What are the dangers to health?
- The proposed site is in the middle of a densely populated residential area and close to the village school, its playing fields and the new pre-school facility.
- The application states the pole serves Raydon Water Tower and Cellphone sites. This suggests, contrary to BT's letter, that the monopole would be used for mobile phone communications. This is of grave concern to residents and parents of children at school.
- The proposed monopole is very large and the impact upon the environment should be considered. The pole would dominate the skyline, ruining the rural nature of the village.
- Existing trees are not tall enough to hide the monopole.
- Views would be blighted because of the monopole.
- We are concerned that if permission is given for this proposal, further requests will be made for mobile phone masts.
- Three people living close to the site have been diagnosed and treated for breast cancer and it makes me wonder whether the original pole is giving off harmful emissions and surely then a much taller pole with potentially higher emissions would cause further illnesses.

PLANNING CONSIDERATIONS

17. The application, which proposes telecommunications development, falls to be considered (in particular) against Government guidance set out in PPG8 and the criteria contained in saved policy EN26 of the Babergh Local Plan, Alteration No.2 (2006). Local Plan policy EN26 states that planning applications for new telecommunications development will be permitted provided that no significant adverse impacts are identified in the following areas;
 - The height and visibility of any mast
 - The scale and design of any masts, antennae and ancillary development and any effects upon the character of the surrounding area
 - The need to protect the appearance of the countryside and the character of the settlements of the District, landscape characteristics, biodiversity, cultural heritage, conservation areas, listed buildings, ancient monuments and areas of potential archaeological interest from development that would significantly harm their appearance, interest, character or setting.
 - The availability of existing buildings, structures and other radio sites which should be utilised for mounting antennae or containing other equipment. In this respect, applicants will be required to demonstrate that they have explored all applicable opportunities for sites/facilities sharing in line with the requirements of PPG8.
 - The scope for landscaping or screening proposals
 - The technical and operational needs of the proposal
 - Evidence that the International Commission on Non-Ionising Radiation Protection guidelines in force at the time are met.
 - Any current Government advice or guidance on health risks.

The case for the development

18. The application is accompanied by a design and access statement. However, the case made for the development is not supported by evidence or detailed assessment and it is not apparent that alternative solutions to the replacement monopole structure have been fully explored. Whilst it is assumed this equipment has to be positioned at the telephone exchange site for technical reasons, no evidence has been provided to support that assumption. Furthermore, an adequate case has not been made to explain the reasons why the additional 6 metres in height is actually required.
19. A full and detailed assessment of opportunities for alternatives to the 18 metre high monopole has not been undertaken. It is apparent that underground cabling has been considered as the only alternative, but the application does not fully explain the reasons why this option has been ruled out. It is not apparent that alternative sites to the telephone exchange have been considered, and the possibility of providing equipment at an alternative site has not been explored and ruled out. For example the potential for an existing telecommunications site or installation to be used to divert the communication signal around any obstacles that may be hindering traffic has not apparently been considered.

Visual Impact

20. The application proposes a new 18 metre high monopole to support telecommunications equipment. The structure replaces an existing 12-metre high monopole and is proposed to be sited immediately adjacent (within approximately 1 metre) to the existing structure. Despite its slimline design and galvanised steel finish, the proposed monopole would be highly visible from various public and private vantage points in the vicinity. The Street is the main thoroughfare through the village and despite being positioned behind the existing telephone exchange building and the presence of mature tree specimens at the site and on surrounding land, the proposed monopole would be particularly noticeable from the Street. The structure would also be highly visible from the public footpath which runs adjacent to the north-west boundary of the site, although the existing monopole is also prominent from the footpath. The proposed monopole would also be particularly visible from other private land, including the school playing fields and gardens of various neighbouring dwellings.
21. Whilst the existing 12-metre high monopole is visible from the same vantage points, it is (because of its height) largely concealed by the presence of existing buildings and mature vegetation. The presence and visual impact of the proposed monopole would be accentuated by its excessive height and there are no opportunities to provide additional landscaping to mitigate the visual impacts that would occur in the area. No evidence has been submitted with the application to demonstrate that the existing monopole is not fit for purpose or that a shorter monopole (than the 18 metre high structure currently proposed) could be used with equal benefits being realised. Accordingly, the proposal is contrary to Local Plan policies EN26 and CN01 in this respect.
22. There are no listed buildings close to the site which would be affected (character or settings) by the proposed development and there is no Conservation Area designation in the village. There would be no adverse impacts upon landscape character or the countryside generally from this development and if the monopole could be viewed from the countryside, it would be set amongst the built form of the village and would not be harmful.

Health

23. PPG8 contains Government planning guidance for telecommunications developments. The key strategies in PPS8 are reflected in Local Plan policy EN26. There is a section within PPS6 which discusses health issues relevant to telecommunications developments (in particular in relation to mobile telephone mast proposals). This states that health can be a material consideration in determining planning applications and it is for the Local Planning Authority to determine what weight to attach to such considerations. The Government's firm view is that the planning system is not the place for determining health safeguards and if a proposed mobile phone base station meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority to consider further the health aspects and concerns about them. It also states that Local Authorities should not implement their own precautionary policies (i.e. by way of imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between telecommunications development and other existing development).
24. Local Plan policy EN26 reflects the Government Guidance and states that applications for telecommunications development should meet ICNIRP guidelines.
25. The planning application is not accompanied by any evidence that the proposed equipment meets with ICNIRP guidelines (it is normal practice for a certificate of compliance to be supplied with the application documents) and the issue of health concerns has not been addressed within the design and access statement (or any other documentation). There is no evidence to suggest the existing or proposed equipment would or could be damaging to health of residents and school pupils, however, in the absence of the key evidence the proposals do not comply with Government Guidance in PPS8 and fails against this particular criteria of Local Plan policy EN26.

Other issues

26. The application site is not designated as an area of potential archaeological interest and this no evidence to suggest that the proposals would place any protected species or other biodiversity interests.
27. A number of the objectors to the application have expressed concern that the erection of the proposed monopole could have an adverse effect on the value of property in the area. The potential impact of development proposals upon property or land values (either negative or positive) is not a material planning issue and cannot be taken into account in determining planning applications.

Conclusions

28. The application does not contain sufficient information about the need for the proposals, the reasons why the existing monopole needs to be increased in height are not fully explained, and the alternative sites or options for the provision of the telecommunications equipment have not been properly explored. The proposed 18 metre high monopole would, if approved, be prominent visual feature in the streetscene and, in the absence of valid justification and evidence about the need for the development there are no reasons to permit a development that would be visually harmful to its environment. Furthermore, the potential impact of the development upon the health and safety of local residents and visitors to the adjacent primary school have not been satisfactorily addressed in the application.

RECOMMENDATION

Refuse planning permission for the following reasons;

- Inadequate explanation and justification of the proposals; approval of a visually prominent monopole structure cannot be justified in the absence of a solid case for the need for the proposal. Contrary to EN26 and CN01
- Matters relating to the impact of the development upon the health and safety of local residents and users of the adjacent school have not been addressed. Contrary to PPG8 and EN26.