
Report of the Chief Planning Officer

Plans Panel North and East

Date: 7th April 2016

Subject: 16/01275/DTM: Application by Cornerstone Telecommunications Infrastructure Ltd -determination for monopole with three antennae, two dishes and three detached cabinets, Great Preston Snooker and Sports Club, Berry Lane, Great Preston.

APPLICANT

Cornerstone
Telecommunications
Infrastructure Ltd

DATE VALID

26 February 2016

TARGET DATE

16 April 2016

Electoral Wards Affected:

Garforth & Swillington

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION:

Members are requested to note this report and officers will advance a formal recommendation to the Panel either by way of an update report in advance or at the meeting itself as part of the officer presentation.

1.0 INTRODUCTION:

- 1.1 The determination application is brought to the North and East Plans Panel, as a previous application for a 10m high monopole mast near to the site has been considered and refused by the former East Plans Panel. Accordingly it is also considered appropriate for this application to be considered by Members.
- 1.2 As this is an application for Prior Approval the Council only has a limited amount of time to consider it. At the time of writing, the officer assessment had not been completed and the publicity period still had a long time to run and is only due to expire the day after the Panel meeting itself. Accordingly no formal recommendation

is advanced at this stage but one will be provided to Members for consideration either in advance or one the day.

- 1.3 Members are therefore requested to note the contents of the report which largely contains background information at this moment in time. The delay in advancing a formal recommendation will also more readily allow officers, and in turn Members to take into consideration any representations received towards the end of the publicity period. Notwithstanding this and regardless of any resolution to approve or refuse, the formal decision will need to be deferred in order to allow for the publicity period to expire on the 8th April.

Determination date

- 1.4 This determination differs from a planning application, in that the Council must first determine whether Prior Approval is required and, if it is, whether the proposed development is acceptable in terms of siting, appearance and implications for public/highway safety. The formal decision must be made within 56 days of the submission of the proposal (16th April 2016); otherwise approval is granted by default.

2.0 PROPOSAL:

- 2.1 This is an application for a determination under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as to whether the prior approval of the local planning authority is required for the erection of 15m shrouded monopole to support 3no. telecommunications antennae. Two dishes (each 300mm in diameter) are also proposed on the monopole at a height of 10m. A total of 4 ground based equipment cabinets (1 at 0.6m x 0.6m x 1.4m, 2 at 0.8m x 1.65m x 1.9m and 1 final cabinet at 1m x 0.44m x 1.3m) are also shown. All structures are identified to be painted green.
- 2.2 The application is accompanied by an International Commission on Non-Ionizing Radiation (ICNIRP) declaration which confirms the installation complies with the relevant public exposure guidelines for radio transmitters.
- 2.3 The proposed telecommunications mast and antenna are required due to a technical coverage and capacity requirement for cellular 2G, 3G and 4G network coverage on behalf of CTIL, which brings both Telefonica ("O2") and Vodafone competitive coverage to the local community and local businesses. CTIL is a joint venture between Vodafone and O2 where infrastructure is shared.
- 2.4 A letter of support from the Great Preston Snooker & Sports Club has been submitted with the application.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is open and undeveloped land to the south of the sports centre pavilion. The area is a small paddock, with a number of small trees towards the site boundaries. Sports pitches are located to the north and other open land is located to the south.
- 3.2 Residential properties are located to the north side of Berry Lane, the nearest being approximately 130m to the north of the application site, and there are properties on Preston Lane to the south-west of the site.

- 3.3 The nearest school is Brigshaw High School and Language College, approximately 650m to the south east of the site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 07/04091/DTM - Determination for 10m telegraph style monopole with 3 antennae and detached equipment cabinet, on the footpath adjacent To Great Preston Miners Welfare (now Great Preston Snooker & Sports Club), Berry Lane. The application was recommended for approval by officers but was refused by the East Panel on 2nd August 2007, for the following reason:

“The Local Planning Authority considers that the proposed 10m high monopole with 3 antennae would form an alien, intrusive and incongruous feature in the streetscene resulting in an unacceptable degree of visual clutter that would materially detract from the visual amenity of the area. The proposal fails to comply with the provisions of Policies GP5 and BD13 of the Unitary Development Plan (Review 2006) and is therefore unacceptable.”

5.0 PRE-APPLICATION CONSULTATION:

- 5.1 As part of the voluntary code of practice for telecommunications operators, the applicant wrote to local schools and GP Practices/Medical Centres within 1km of the proposal (Brigshaw High School and Language College, Great Preston Church of England Primary School and The Practice Radsham House). Local residents who live within the area are also identified as having been contacted. The responses were as follows.

Two e-mails, one phone call and no letters have been received. No other third party responded to the letters sent. The issues raised in the consultation can be summarised as follows:

- ☐ Support of improved mobile phone coverage;
- ☐ Visual impact of mast upon outlook from neighbouring properties and impact upon property value;
- ☐ Concern over potential for health impacts due to use of site by children and proximity to school and request for alternative location as a result; and
- ☐ Concern over potential for vandalism to installation.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The proposal has been advertised by site notices dated 18th March 2016. At the time of writing, one objection had been received although the 21 day period is not due to expire until 8th April. As such, any further representations received prior to the Panel meeting will be reported either as part of any updated report or verbally as part of the officer presentation. Any formal resolution will also have to be deferred to allow for the publicity period to expire on the Friday after the Panel meeting. The concerns expressed in the objection are as follows:

- The site is surrounded by facilities that are heavily used by children including a primary school
- Graffiti is a problem for the snooker club building and the mast could suffer the same problem
- The mast will impact on views from my problem and could affect the saleability of the property and others in the area.

- 6.2 Ward Councillor Dobson has also been advised of the contents of the application and the intention to refer it for a Panel decision.

7.0 CONSULTATION RESPONSES:

Statutory:

- 7.1 Sport England – no objection.

Non Statutory:

- 7.2 Highways – No objection

8.0 PLANNING POLICIES:

- 8.1 Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) sets out the permitted development rights for telecommunications code system operators.

Local

- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan is the adopted Core Strategy, saved policies within the Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste DPD. These development plan policies are supplemented by supplementary planning guidance and documents.

Core Strategy

- 8.3 The following policies are considered to be of relevance.

P10 –	Design considerations
SP8 (ix) -	Seeks to support a competitive local economy through high quality communications infrastructure
SP10 –	Green Belt
T2 –	Highway considerations

Saved UDP Review (2006):

- 8.4 The following policies and supplementary planning document are considered relevant to the proposal:

GP5 –	Refers to general planning considerations
N32/N33 –	Development within the Green Belt
N6 –	Protected Playing Pitch

National

- 8.5 Section 5 of the National Planning Policy Framework (NPPF) deals with communications infrastructure:
- 8.6 Paragraph 42: 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”.
- 8.7 Paragraph 43: In preparing Local Plans, Local Planning Authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and

telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

8.8 Paragraph 45: Applications for telecommunications development (including for prior approval under Part 24 (*now part 16 from 2015*) of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

(i) The outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone surrounding an aerodrome or technical site; and

(ii) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines; or

(iii) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

8.9 Paragraph 46: 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.

Other relevant sections include 7- Requiring good design, 9 - Protecting Green Belt land 11- Conserving and enhancing the natural environment

9.0 MAIN ISSUES

1. The siting and appearance of the proposed installation and its location within the Green Belt
2. Impact on the protected playing pitch designation
3. Residential amenity and health implications

10.0 APPRAISAL

10.1 The principal issue which the Council is able to consider in the determination of this application is siting and appearance.

Green Belt

10.2 The application site is located within the Green Belt and therefore due regard on the implications of the development on the Green Belt must be given. As outlined within the NPPF the essential characteristics of Green Belts are their openness and their permanence. Paragraph 89 of the NPPF notes that the LPA should regard the construction of new buildings as inappropriate in Green Belt and the NPPF provides a list of exceptions whilst also stating that LPA's should ensure that substantial

weight is given to any harm to the Green Belt. A mobile phone mast is inappropriate development in the Green Belt and substantial weight must therefore be given to the harm caused by way of inappropriateness and the resulting loss of openness.

10.3 The introduction of a 15m high mast would clearly have some impact on openness as it would be approximately three times higher than the nearby small trees. The total harm to the Green Belt must therefore be given substantial weight and be justified by very special circumstances.

10.4 Section 5 of the NPPF sets out the Governments generic policy support for high quality communications infrastructure (para. 42). Core Strategy Spatial Policy 8, point (ix) seeks to support a competitive local economy through high quality communications infrastructure to foster sustainable economic growth. In considering these local and national planning policy statements, the significant benefits of the new mast to sustainable economic development in the District is a consideration to which substantial weight should be given.

Site Assessment/Selection:

10.5 In reaching a decision to advance a formal proposal on the application site, the applicant has undertaken a technical exercise to establish the area where additional coverage is required and also undergone a site selection process. These two processes go hand in hand as the equipment required for one site may be different to another in order to ensure the same/similar level of coverage.

10.6 Having considered the basic technical requirements for the network coverage and the topography of the area, a 15m mast is considered by the applicant to be the optimum solution as it is still necessary for the signal not to be unduly obstructed by features such as buildings and trees which are not necessarily directly adjacent to the site. The applicant does not therefore consider a smaller mast would provide as effective or efficient coverage because surrounding trees and other built form would prevent the radio signal from propagating in an efficient manner, thereby significantly reducing the area of coverage.

Possibility for Mast Sharing and Upgrade of Existing Mast:

10.7 The requirement to consider mast sharing where possible is set down in paragraph 43 of the NPPF. In order to accord with this guidance, the applicant has therefore reviewed surrounding existing masts to ascertain whether mast sharing could result in the required radio coverage. The closest existing mast is 1.6km away to the north-east. This is however too distant to provide coverage to the required areas. Where existing masts are more than 500m away, they would typically require an increase in height of at least 10m to cover the target area for 2G coverage. This would also usually require substantial increases in the width of supporting structures and more equipment cabinets at ground level. 3G and 4G coverage require masts to be closer to the population they serve and an increase in height to existing distant masts would not represent a solution for these technologies in this case.

Candidate Sites:

10.8 In circumstances where mast sharing is not possible, the use of buildings and other greenfield sites should then next be considered. The outcome of this assessment identified the following suitable sites and the reasons why they have not been advanced:

- (i) 3' site share at Craftmen Cues, High Street, Kippax, Roof Top -Building this site would prove extremely difficult. Many complaints from locals regarding the existing installation.
- (ii) Royal British Legion, Ex-Service & Social Club, Church Lane, Kippax - Roof Top - No response.
- (iii) Woodend Nurseries, Wood Lane, Great Preston – Green Field Site provider declined.
- (iv) Brigshaw High School, Brigshaw Lane – Green Field Site provider cannot commit to opportunity at this time.
- (v) Kippax Sports & Leisure centre, Station Road, Kippax - Green Field. No response from landowner.
- (vi) Kippax Welfare Club, Longdyke Lane, Kippax – Green Field. Landlord not willing at this time.

10.9 The undertaking of the above assessments weighs in favour of the applicant in terms of demonstrating through the submission of appropriate evidence that other sites have been considered ahead of the Green Belt site formally advanced as part of this determination application.

Harm to Green Belt

10.10 The mast has been designed so as to provide the requisite signal coverage requirements in the most discreet form possible. This is a shrouded single stack monopole situated in the southwest corner of the playing field. The mast, dishes and equipment cabinets are identified to be painted green, this being a recessive colour that is often used to help assimilate manmade structures into the surrounding natural landscape. A lower mast has also been discounted as not providing the required level of radio coverage.

10.11 The site is within the grounds of the Great Preston Sports and Social Club, in the south-west corner of the playing field, therein providing a rural backdrop to the proposal. The height of the trees in the immediate vicinity of the site are nevertheless only estimated to be 5-6m at most.

10.12 Consideration has been given to the proposed siting of the mast so as to reduce its impact on residential properties to the north and west but this has pushed it into the Green Belt relative to the previous mast proposal. The land immediately south of the site, spanning from the southeast to the southwest, is agricultural in nature. Therefore, close views of the site by the public will be limited. Trees along the western side of the site will provide some screening to residential properties to the west.

Very Special circumstances

10.13 The applicant has highlighted the following benefits of the scheme are:

- ☐ Capital contribution to Great Preston Sports and Social Club that will result in the sustainable operation of the club into the future. The capital investment provided by Shared Access will enable the club to rapidly implement facility improvements, including all-weather practice cricket nets and the construction of a disabled toilet. This is a significant public benefit of the scheme and should weigh heavily in favour of the proposal;
- ☐ The club provide facilities for a wide age range from young children to seniors. The maintenance of the club will therefore benefit a wide range of demographics in the local area, thereby underlying the public benefit of the continued facilities of the club;

- Improve the ability of local businesses to operate and compete effectively through access to modern communications thereby helping to maintain and increase local employment opportunities;
- As well as 2G and 3G, the proposal will allow for 4G coverage. This represents a significant modernisation of the communications infrastructure serving the area
- Improved coverage for those providing local services such as doctors, vets, deliverymen and local traders;
- Contribution to sustainability where the creation of local job opportunities and full or part time home working is facilitated through access to modern communications;
- Mobile communications facilitate modern forms of working such as hot desking and hotelling, so reducing and in some cases eliminating the need for office accommodation. As these modern working practices gain greater hold, so the demand for office accommodation should reduce, and ultimately alleviate the pressure for such development, so making a major contribution to sustainable objectives. In addition, by reducing the number of commuters, the pressure on all forms of transport and the consequential road congestion often experienced during peak hours should be reduced, leading to clear environmental benefits;
- Contribution to the national economy is also significant where all businesses, from large to small, benefit from modern communications that helps them maintain and attract new business and service contracts in a responsive and competitive manner;
- With over 80 million subscribers, and new subscribers joining in large numbers every week, telecommunications is a key element in society and the economy (figure source: Ofcom). The Ofcom requirement to provide coverage for mobile phone customers would not be met without the proposal; and
- Improved mobile internet capacity and connectivity that can facilitate websites/mobile phone apps that tie in with events held in public open spaces in the surrounding area.

10.14 As already detailed, a formal officer recommendation for this determination application is not advanced at this stage as the scheme has not yet been fully assessed.

Impact on the Protected Playing Pitch designation:

10.15 Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England'. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

10.16 Having assessed the application, Sport England is satisfied that the proposed development meets the following Sport England Policy exception:

E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

10.17 This being the case, Sport England does not wish to raise an objection to this application and accordingly officers are satisfied the proposal would not adversely impact on the use of the wider site for sports related activities.

Residential Amenity and Health implications

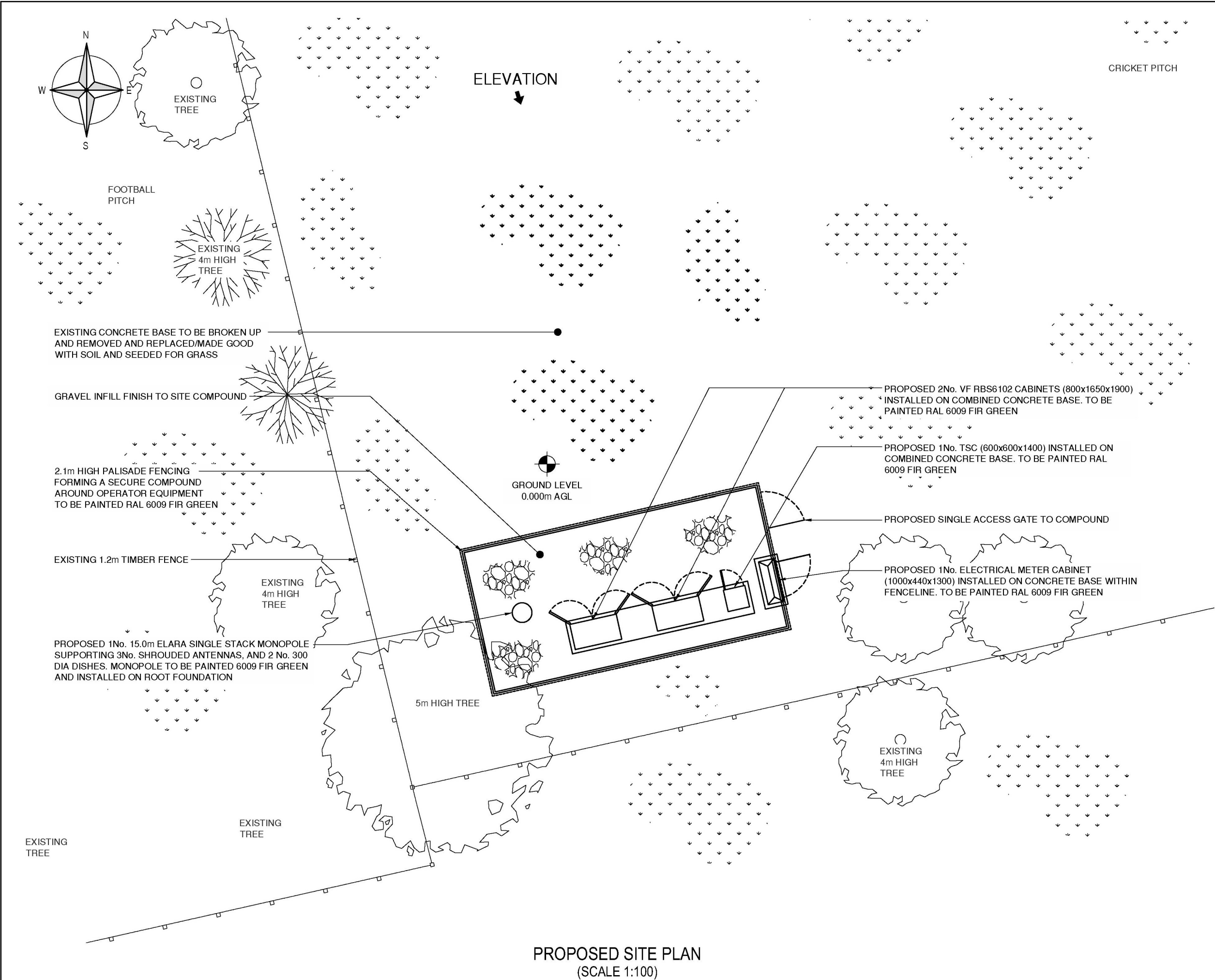
- 10.18 Although the publicity period for the application is yet to expire and accordingly a final assessment of the scheme's impact on local residents has yet to be reached, it is fair to say the potential impact is unlikely to be the same as the previous mast proposal since its detailed siting, design and height is very different.
- 10.19 Notwithstanding this and picking up on some of the issues which have been raised in the objection letter that has already been received, a comment regarding the health implications of the scheme can be made at this time
- 10.20 Government guidance in the form of the NPPF states very clearly that local authorities should not 'determine health safeguards if the proposal meets International Commission guidelines for public exposure'. As this application is accompanied by the appropriate certificates of compliance with ICNIRP guidelines on radiation emissions any objection on the grounds of health concerns is not appropriate and could not be substantiated at appeal. Accordingly any health implications of the development fall outside the remit of this determination application for prior approval.

11.0 CONCLUSION

- 11.1 This is a background information report only that also sets out the main issues that need to be considered.
- 11.2 The application is still at a relative early stage of assessment so a formal officer recommendation is not advanced at this time. A Panel resolution to either approve or refuse at the April meeting will nevertheless be required due to the specific timescales associated with prior approval determination applications. The formal officer recommendation will therefore be provided either via a separate update report before the meeting or on the day as part of the officer presentation.

Background Papers:

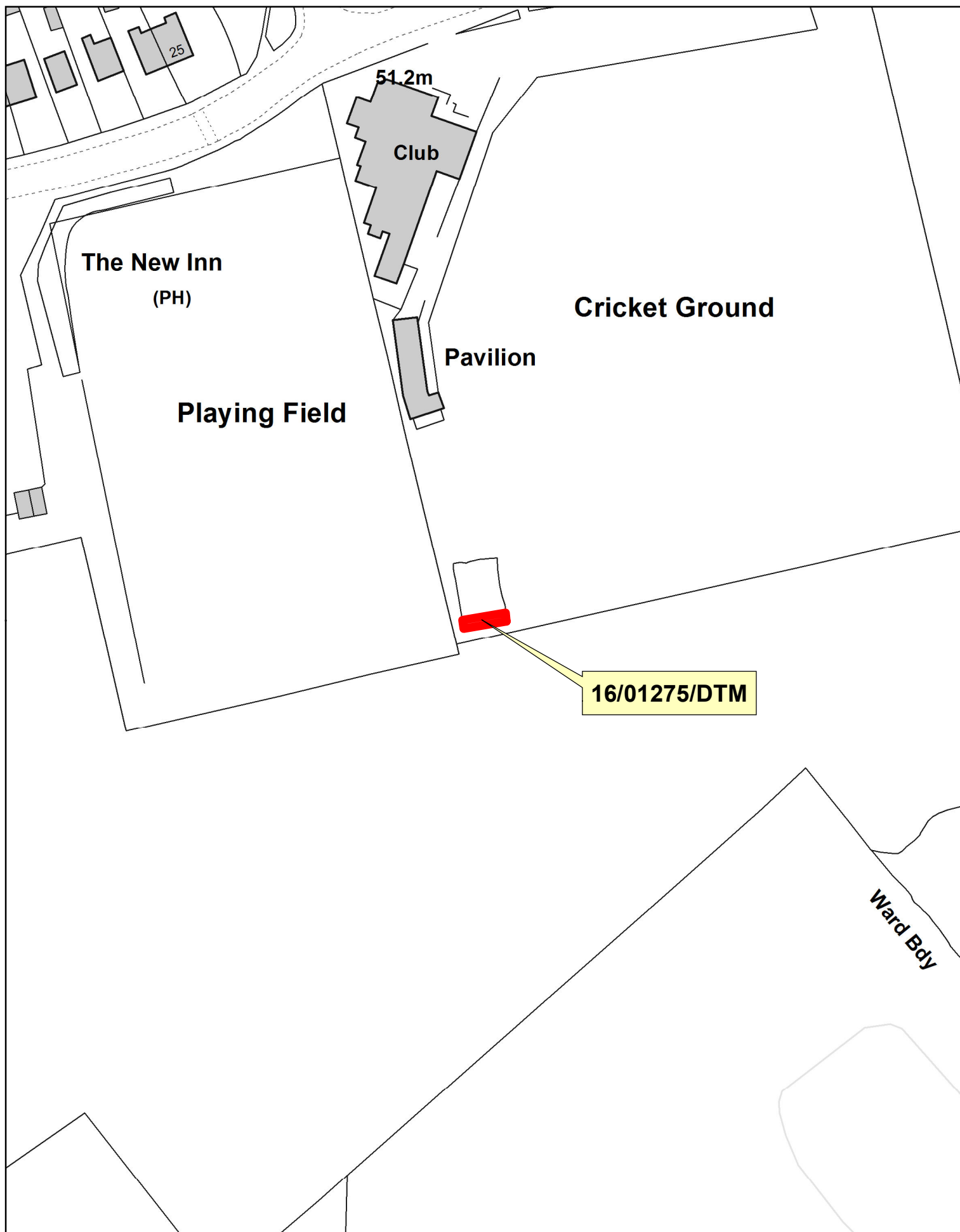
16/01275/DTM and 07/04091/DTM



The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.
Designed in accordance with Cornerstone document: CORN/09/006

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE									
NGR		E: 440340 N: 429480							
CONCESSION REQUIRED					NO				
A		FIRST ISSUE			DC	MW	MNH	25.02.16	
Rev		Modification			By	Ch	Ap	Date	
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75mm
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NORTH AND EAST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1000

