

<b>APPLICATION NO</b>	<b>PA/2009/1388</b>
<b>APPLICANT</b>	Vodafone Limited
<b>DEVELOPMENT</b>	Planning permission for a telecommunications installation comprising a 16m high monopole (to replace existing floodlight) supporting 3 antennas and 5 floodlights, ground base equipment cabinets and ancillary development
<b>LOCATION</b>	Scunthorpe Rugby Union and Cricket Club, Heslam Park, Ashby Road, Scunthorpe
<b>PARISH</b>	<b>SCUNTHORPE</b>
<b>WARD</b>	Kingsway and Lincoln Gardens
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillors Gosling and Wilson – significant public interest and visual impact)
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> No specific policies apply.</p> <p><b>North Lincolnshire Local Plan:</b> Policy DS19 (Telecommunications Equipment) – when considering planning applications for telecommunications equipment consideration will be given to:</p> <ul style="list-style-type: none"> <li>(i) the siting, design and visual impact of the equipment;</li> <li>(ii) the impact upon the character or setting of any listed building, conservation area or site of archaeological importance, the open countryside, or the amenities of a residential area;</li> <li>(iii) whether the operator has explored the possibility of erecting antennae on existing buildings, other structures or mast sites;</li> <li>(iv) whether the operator has explored the possibility of sharing an existing mast or replacing it with one suitable for shared use;</li> <li>(v) securing the removal of any telecommunications apparatus that is no longer required for its original purpose and the restoration of the site.</li> </ul>

**Planning Policy Guidance Note 8 (PPG8) – Telecommunications:** This document states that it is the Government's policy to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. The Government's aim of telecommunications policies is to ensure that people have a choice as to who provides their telecommunication service, a wide range of services from which to choose and equal access to the latest technologies as they become available. PPG8 encourages local planning authorities to encourage development of telecommunications installations in the context of urban and rural locations unless material considerations determine otherwise.

PPG8 also outlines the Government's firm view on the issue of health and perceived health risks in paragraph 98 of PPG8: *'It is the Government's view that the planning system is not the place for determining the health safeguards. It remains Central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile base station meets the ICNIRP guidelines for public exposure it should not be necessary for local planning authorities, in processing an application for planning permission or prior approval, to consider the health aspects and concerns about them.'*

## **CONSULTATIONS**

**Highways:** No objections.

## **PUBLICITY**

Neighbouring properties have been notified and a site notice posted. Objections have been received on the following grounds:

- the visual impact of the proposal on what is an open field
- the effect on house prices
- the unproven health risk associated with such installations

## **ASSESSMENT**

Planning permission is sought for a telecommunications mast located on Heslam Park Rugby Club, Scunthorpe. The proposed mast would be 18m high and 30cm in diameter at the base, narrowing to around 20cm at the top. The antennas would be contained within a shroud measuring 40cm in diameter. As this proposal is to replace the existing floodlight column, the floodlights would be installed at a height of 16m, in line with the existing floodlights.

The proposed mast would be approximately 30m away from the nearest residential property, with the site being backed onto by residential properties.

**The main issue to consider when determining the application is whether or not the proposed mast, in its proposed location, would adversely affect the character and setting of the area.**

It should be pointed out that although health can be a material consideration, Government guidance in PPG8 (Telecommunications) is quite clear in stating that the planning system is not the correct system to determine whether a telecommunications proposal is safe or otherwise. Paragraph 97 of PPG8 states that *'Health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision-maker (usually the local planning authority) to determine what weight to attach to such considerations in any particular case.'*

However paragraph 98 of PPG8 goes further to state *'However, 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. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.'*

There are numerous legal instances where local planning authorities have refused/objected to applications on health grounds and these have been overturned at appeal and occasionally costs have been awarded against local councils. It should be noted that a valid ICNIRP certificate has been provided for the development therefore health considerations cannot be considered further – in accordance with PPG8, to give health concerns any consideration would be against national planning guidance.

The proposed mast, whilst measuring some 18m in height, would also incorporate the existing floodlight installation, therefore the visual impact of the proposal would be minimal. The existing floodlight column would be taken out and the new mobile mast would replace it.

Whilst the monopole would be 18m high, it should be noted that the existing floodlights are 16m high; the extra 2m is taken up by the antennas needed for the mast and these are contained within a shroud, further minimising the visual impact of the proposal.

Although there is an existing telecommunication mast on the Heslam Park site, to redevelop the existing mast would result in a more visual prevalent site and a more bulky set of apparatus. The current slim monopole would have to be replaced by a bulky lattice mast and would be further cluttered by two sets of antennas on the mast. It is felt that the proposal to replace an existing floodlight column is the optimum solution for the site, and the proposal minimises the visual impact of the proposal by virtue of it utilising floodlights.

It is also important to note that the proposed mast will be housing equipment from two mobile operators (O2 and Vodafone), essentially being a site share, which is in line with existing Government policy and local plan policy DS19.

In June 2007 planning permission for an 18m monopole mast to replace a floodlight with three antennas was refused on the grounds of visual amenity (PA/2007/0507). The application had been recommended for approval but members were concerned about its impact on residential amenity and the setting of Heslam Park. The refusal was appealed against and the inspector allowed the appeal in October 2007. That proposal was submitted by T-Mobile. The current proposal is on the same site and 2m lower in height. The inspector concluded there was no visual issues to justify refusal in 2007 and a lower mast height should have even less impact.

In conclusion, the proposed telecommunications mast would not be visually intrusive in this area of Scunthorpe. The proposal, by utilising the floodlights, will in effect replace the existing floodlight column and therefore the visual impact will be minimal.

## **RECOMMENDATION**

**Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

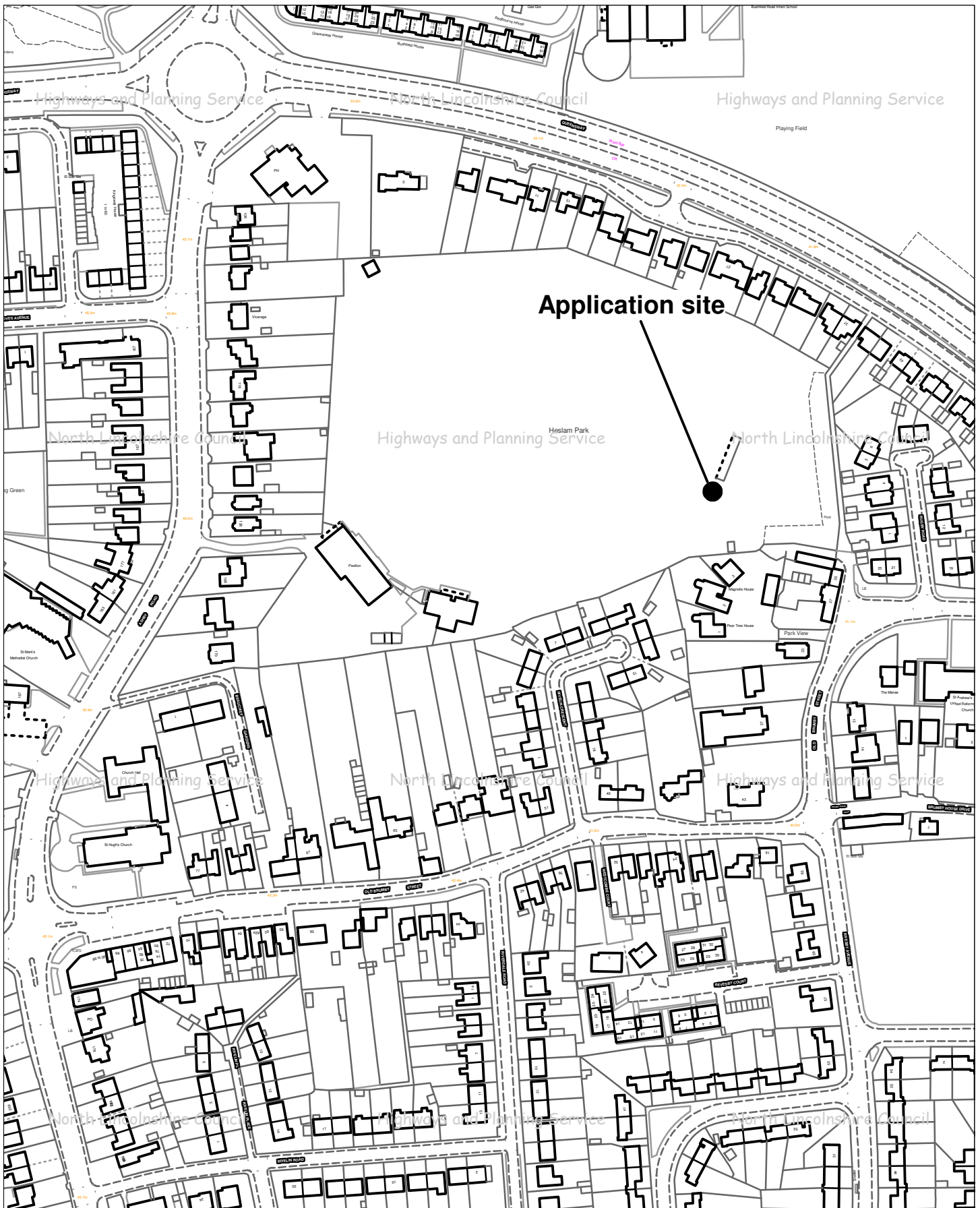
To comply with section 91 of the Town and Country Planning Act 1990.

2.

Prior to commencement of development, details of the external finish of the installation hereby approved, including its colour, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To protect the amenity of the surrounding area in accordance with policy DS1 of the North Lincolnshire Local Plan.



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**Highways and Planning Service**

Service Director,  
G Popple

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