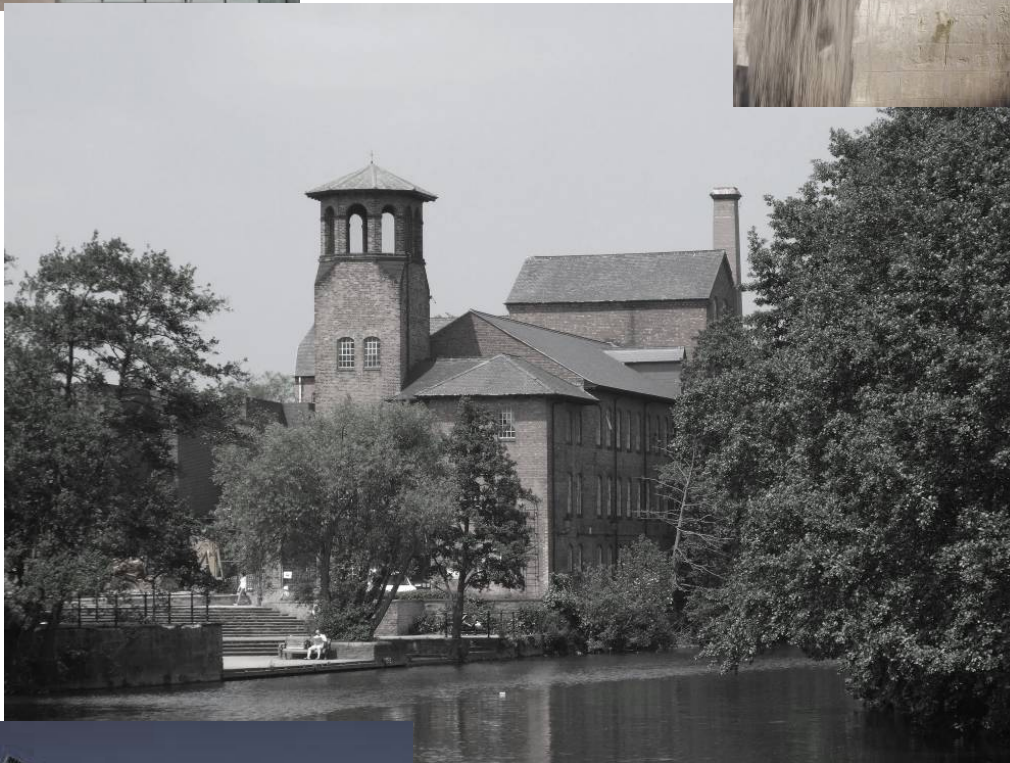


Item 8

Derby City Council
Planning Control Committee
8th July 2010



Development Control Report Of
The Director of Planning and Transportation

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Planning Control Committee 08 July 2010

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2	6 -	03/09/00331	The Hippodrome, Green Lane and Car Park, Crompton Street, Derby	Partial demolition of The Hippodrome and formation of multi-storey car park, erection of retail unit, retail kiosk, offices and 4 apartments	To refuse planning permission.
		03/09/00332	The Hippodrome, Green Lane, Derby	Partial demolition of The Hippodrome and formation of multi-storey car park, erection of retail unit, retail kiosk, offices and 4 apartments	To refuse listed building consent

The report for applications 03/09/00331 and 03/09/00332 is to follow.

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Application No: DER/06/10/00668

Type: Telecommunications Prior Notification

1. **Address:** Highway verge, Shardlow Road, Alvaston

2. **Proposal:**

Installation of replacement 13.8m high telecommunications mast, 3 pairs of antennae and equipment cabinet

3. **Description:**

This proposal replaces an existing 12m mast for a single operator to which Committee raised no objections in 2005. The existing grey coloured monopole is sited on the wide verge, close to the footway and some 10m back from the carriageway on the east side of Shardlow Road. It is approximately 36m from the nearest houses on Shardlow Road and Elvaston Lane and provides 3G telecommunications coverage by Vodafone in the area. The transmitter antennae are located in a cylindrical shroud adding a further two metres to the height to give a maximum height of 14m. The existing lighting columns, which were renewed in 2005, are 10m high.

The existing cabinets are 1.3m x 0.94m x 1.92m high and 0.67m x 0.18m x 1.05m high and coloured green.

Vodafone and the Telefonica Group, who operate O2, have formed a strategic partnership to share mobile assets which allows the consolidation of the number of base stations, although the networks will still operate separately. This site is considered suitable for sharing and as a consequence, the total mast height decreases to 13.8m but the shroud increases in diameter from some 200mm to just below 500mm; the mast also moves 3.5m to the south.

Also proposed is the associated small O2 cabinet, and minor ancillary works. The additional cabinet is 1.9m by 0.5m and 1.65m high in a green colour.

4. **Relevant Planning History:**

DER/05/05/00815 Installation of 12m high monopole, 3 antennae and equipment cabinets, no objections raised 27/06/05

DER/02/05/00187 Installation of 12m high monopole, 3 antennae and equipment cabinets, withdrawn 10/03/05.

5. **Implications of Proposal:**

5.1. **Economic:**

None directly arising.

5.2. **Design and Community Safety:**

Monopoles were developed to replicate street furniture visually. The shroud of the proposed mast is wider. Cabinets can be used to climb on but this is no different to other street furniture.

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5.3. Highways – Development Control:

The position of the new apparatus is satisfactory in highway terms and consequently no significant highway implications raised.

5.4. Disabled People's Access:

No material difference to the existing position.

5.5. Other Environmental:

Nearby street trees will help to reduce the visual impact of the proposal.

In health terms, the proposal is certified as being in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation (ICNIRP). As a result of this and the advice in PPG8, Planning Policy Guidance Note on Telecommunications, the planning authority should not consider further the health implications of the proposal.

6. Publicity:

Neighbour Notification Letter	61*	Site Notice	yes
Statutory Press Advert and Site Notice		Discretionary Press Advert and Site Notice	
Other			

This publicity is in accordance with statutory requirements and the requirements of the Council's adopted Statement of Community Involvement. This includes 61 mostly residential properties within 90m and the Alvaston Infant and Junior School in addition to the ward councillors.

7. Representations:

No representations received at the time of writing the report.

Councillors Bayliss and Winter have objected to the proposal on unspecified grounds and should address the meeting.

8. Consultations:

8.1. Environmental Services (Health – Pollution):

No comments received.

9. Summary of policies most relevant: *Saved CDLPR policies / associated guidance.*

E28 telecommunications

The main national policy guidance is that in PPG8 (Telecommunications)

The above is a summary of the policies and guidance that are relevant. Members should refer to their copy of the CDLPR for the full version or the department prior to the meeting.

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10. Officer Opinion:

Policy E28 (Telecommunications) of the adopted CDLPR states that planning permission will be granted subject to assessment against the following criteria:

- a. Impact upon amenities and the surrounding environment, with consideration given to sensitive areas, screening and landscaping.
- b. There is no possibility of erecting the mast upon existing buildings or sharing mast facilities.
- c. The proposal should not unacceptably inhibit development potential.

Policy E28 of the adopted CDLPR is applicable, even though this application seeks prior notification approval for the proposed development and not planning permission. The policy makes it clear that, unless there are conflicting material considerations relating to criteria a, b or c above, permission should be granted where there is an application for permission, or that the Local Planning Authority should not refuse prior notification cases on location and appearance grounds. This is consistent with Government advice in PPG8 which seeks to encourage development of the telecommunications network.

Health Considerations

The health advice in PPG8 is very clear indeed; if an application (or notification) is certified to meet ICNIRP guidelines the Local Planning Authority should not seek to challenge this as health impact is, primarily, a matter for Central Government. I have no doubt that a Local Planning Authority that refused an ICNIRP-certified proposal on health grounds would find itself stranded, unable to produce any credible professional witness, on appeal.

Visual Amenities and the Environment

The difference between the existing installation and the proposed replacement is in the width/bulk of the shroud but although it is less visually attractive I am satisfied that the proposal would not have any unreasonable impact upon visual amenities or the surrounding environment. The monopole would be sited on a busy main road and would still resemble the existing lighting columns.

Mast-Sharing and Erection upon Existing Buildings

The proposal constitutes mast sharing and should globally result in a reduction in the number of sites.

Highway considerations

The proposed monopole would be sited on highway verge and I raise no objections to the proposal on highway visibility grounds.

I conclude, therefore, that the Local Planning Authority should not seek to control the siting and appearance of the equipment.

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12. Recommended decision:

That the City Council does not wish to control the details of siting and appearance

12.1 Summary of reasons:

The proposal has been considered against the City of Derby Local Plan policy as summarised below and against Planning Policy Guidance Note 8. It constitutes a mast sharing telecommunications development in a suitable location, would improve the network in this part of the City without having a detrimental effect upon local amenities.

12.2 Application timescale:

The 56 day period expires on 29 July after which time the proposal is 'deemed to be approved' unless a 'refusal' has been issued.

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