

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 18 January 2017

AGENDA ITEM NO	1
APPLICATION NO	4810/16
PROPOSAL	Erection of a 17.5m tall lattice mast with 3no. telecommunications antennae and 2no. dishes.
SITE LOCATION	Mid-Suffolk Leisure Centre, Gainsborough Road, Stowmarket, IP14 1LH
SITE AREA (Ha)	
APPLICANT	Shared Access and CTIL
RECEIVED	November 28, 2016
EXPIRY DATE	January 24, 2017

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

The Head of Economy considers the application to be of a controversial nature having regard the extent and planning substance of comments received from third parties.

PRE-APPLICATION ADVICE

1. Pre application was sought by the applicant. The current application 4810/16 was submitted before a response was received.

SITE AND SURROUNDINGS

2. The application site is a small area located to the rear of Mid-Suffolk Leisure Centre in Stowmarket. The area occupies a corner currently used for storing bins. The immediate surroundings of the site are the Leisure Centre building to the southeast and southwest, tall trees and hedges to the northwest, and the car park to northeast.

The wider area around Mid-Suffolk Leisure Centre is predominately residential with several educational facilities nearby including Wood Ley Community Primary School to the northwest, Chilton Community Primary School to the east, Stowmarket High School to the south, Foxglove Montessori Nursery School to the south, and The Kingsfield Centre Pupil Referral Unit to the southwest. There is also Chilton Meadows Residential and Nursing Home and Stow Lodge Centre to the west, and Chilton Court residential home to the east.

The site is not located a conservation area nor is the site located is a Special Landscape Area. The nearest listed building is Chilton Court on Gainsborough Road, a Grade II listed building located to the east of the site. Within the wider area there is also Stow Lodge Centre on Union Road which is a Grade II listed building located to the west of the site.

HISTORY

3. The planning history relevant to the application site is:

4810/16	Erection of a 17.5m tall lattice mast with 3no. telecommunications antennae and 2no. dishes.	
3930/14	Re-roof existing Bowls Hall and Creche and installation of Solar PV Array	Granted 19/02/2015
1585/11	Erection of single-storey extension to form new fitness studio	Granted 19/07/2011
1130/94	ERECTION OF EXTENSIONS TO HIGH SCHOOL TO PROVIDE NEW STAFF AND LIBRARY BLOCK AND SCIENCE BLOCK. (FOLLOWING REMOVAL OF STAFF BLOCK ON SITE)	17/02/1995
0084/94/	ERECTION OF EXTENSION TO LEISURE CENTRE WITH ALTERATION TO ACCESS AND CAR PARK.	Granted 16/03/1994
0309/86	Erection of indoor bowls hall with layout of additional car parking, and formation of two new vehicular access including one temporary access for construction traffic	Granted 04/06/1986
0765/84	Erection of indoor swimming pools with associated car parking.	Granted 08/11/1984
1072/79	Alterations and additions to Sports Centre	Granted 21/01/1980
79/0213	Retention of part use of premises for electrical business and erection of flat roofed single storey rear extension to existing workshop	11/06/1979
0213/79	Retention of part use of premises for electrical business and erection of flat roofed single storey rear extension to existing workshop	Refused 11/06/1979

PROPOSAL

4. The proposal is to erect a 17.5 metre high lattice tower with 3 no. telecommunications antennae and 2 no. dishes, and 3no. ground based cabinets.

POLICY

5. Planning Policy Guidance

See Appendix below.

CONSULTATIONS

6. The Senior Environmental Management Officer has no objections to the application.

The Senior Environmental Health Officer has no objections to the application.

Any further responses has be updated to the Committee via late papers or verbally on the day.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. A substantial number of objections have received from local residents in the area. To date all the objections have been considered and are summarised below-

- Objections received based on the serious health implications posed by the mast to local residents, children attending nearby schools, and the elderly living in nearby residential and nursing care homes.
- Objections received based on the location of the mast close to residential properties and schools and comments that there must be a more suitable site.
- Objections received based on the mast having a detrimental visual impact on the surrounding area.

ASSESSMENT

8. The National Planning Policy Framework (NPPF) was published on 27th March 2012 the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained with the NPPF are a material consideration and should be taken into account for decision-making purposes.

Paragraphs 42-46 of the NPPF set out the Government's position on telecommunications development. Paragraph 42 states "*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.*" The NPPF goes on to advise that the numbers of masts should be kept to a minimum consistent with the efficient operation of the network and that existing masts, buildings and other structures should be used unless the need for a new site has been justified. Where new provision is required, equipment should be sympathetically designed and camouflaged where appropriate.

Paragraph 44 of the NPPF states that "*Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area.*" Proposals for new equipment should be supported by the necessary evidence to justify the proposed development including:

- Outcome of consultations with interested organisations including schools and aerodromes
- Compliance with ICNIRP guidelines
- Evidence of exploration of alternative sites and buildings.

Paragraph 46 states "*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.*"

As of the 24th November 2016 development consisting of a mast not higher than 25 meters above ground level on unprotected land (such as this site) is permitted development under Class A, Part 16, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO), subject to an assessment in respect of

the sitting and appearance of the development.

It is noted that a large number of objections relate to concerns regarding the health risks that the development may pose. The applicant has provided a ICNIRP Certificate and confirmed that the site is designed in full compliance with the requirements of the radio frequency (RF) guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP) for public exposure as expressed in the EU Council recommendation of July 1999. As such concerns regarding health risk do not form a material planning consideration or grounds for a refusal.

The application has been submitted by Pegasus Planning Group Ltd to improve the 4G network coverage of O2 and Vodafone and is a joint venture between Vodafone and Telefonica UK (trading as O2). The application by Pegasus includes a Planning Statement which details the consultations that have taken place, and includes a declaration of ICNIRP compliance. The Planning Statement also details the alternative sites that have been considered which include Chilton Primary School, Scania Truck Depot, corner of Voile Hill Road and Recreation Road, Land adjacent to Finneys II Sandwich Shop, and Stowmarket Police Station Tower.

The 17.5 metre height of the mast has been designed to be taller than the neighbouring trees which could otherwise obstruct the signal. The mast and ground cabinets will be located in an area currently used for storing bins and is not considered to effect the daily operations of the leisure centre.

The application is not located in a Conservation Area or Special Landscape Area. The nearest listed building is the Grade II Chilton Court on Gainsborough Road. Due to the distance between the mast and the existing urban setting, the addition of mast at the leisure centre is not considered to have a detrimental impact the appearance or setting of the listed building, or pose any harm within the meaning provided by the NPPF.

The appearance of the mast is typical in appearance and has been located to the rear of the existing leisure centre. It is considered that all possible steps have been taken to locate the mast where it is will have minimal impact on the character of the surrounding area.

The National Planning Policy Framework supports the development and improvement of the communications infrastructure and proposal is considered to be permitted development as defined by The Town and Country Planning (General Permitted Development) Order 2016. The proposal would contribute towards the Government's long-standing and well-documented commitment to maintaining and improving communications networks across all of the UK. Any potential perceived harm is any case readily outweighed by the benefits of the scheme.

Having regard for the above it is considered that the sitting and appearance of the development would be acceptable in accordance with the Prior Approval requirements under Part 16 of the GPDO 2015 (as amended 24th November 2016).

RECOMMENDATION

That Permission is granted.

Philip Isbell

Ruth Bishop

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

Cor6 - CS6 Services and Infrastructure

2. Mid Suffolk Local Plan

- GP1** - DESIGN AND LAYOUT OF DEVELOPMENT
- SB2** - DEVELOPMENT APPROPRIATE TO ITS SETTING
- SC7** - SITING OF TELECOMMUNICATIONS EQUIPMENT

3. Planning Policy Statements, Circulars & Other policy

- C01/03** - Safeguarding aerodromes, technical sites and military explosives
- NPPF** - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of **42** interested parties.

The following people **objected** to the application

[Redacted list of names and addresses]

[REDACTED]

The following people **supported** the application:

The following people **commented** on the application: