
Report to: Planning Committee – Urgent Referrals **Date of Meeting:** 25 May 2012

Subject: S/2012/0382
Site for mast Freshfield Station Victoria Road, Formby

Proposal: Prior Notification Procedure for the erection of a 15m. high telecommunications mast, ground based equipment cabinet and ancillary apparatus

Applicant: Vodafone Limited **Agent:** Westwood Planning Solutions Ltd.

Report of: Head of Planning Services **Wards Affected:** (Harington Ward)

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Summary

The proposal seeks to erect a 15 metre high monopole dual-user telecommunications mast, and associated ground based equipment, to a site lying adjacent to the southbound platform of Freshfield Railway Station, Formby.

The key issues to consider are the impact on the visual amenity of the area and the amenity of residential properties, particularly those to Montagu Road.

Recommendation(s)

Approval

Reasons for the Recommendation:

The proposal will not have a detrimental impact on the visual amenity of the area. The applicant has demonstrated compliance with guidelines in respect of health and the siting and design of the proposed equipment is considered to be acceptable. When assessed against the Development Plan and all other material considerations, particularly policies CS3, DQ1, G1, MD8 and the National Planning Policy Framework the proposal is acceptable.

Implementation Date for the Decision

Immediately following the Committee – Urgent Referrals meeting

Contact Officer: Mandy Biagetti Telephone 0151 934 4313

Case Officer: Neil Mackie Telephone 0151 934 3606

Email: planning.department@sefton.gov.uk

Background Papers:

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

This item was deferred at the last meeting of Planning Committee – 2nd May 2012 – to consider Late Representations made by Formby Parish Council

The Site

An area of land abutting the southbound pedestrian platform of the Freshfield Railway Station, off Montagu Road, Formby.

Proposal

Prior Notification Procedure for the erection of a 15m. high telecommunications mast, ground based equipment cabinet and ancillary apparatus

History

None.

Consultations

Highways DC – There are no objections to the proposal as there are no highway safety implications.

Environment Head of Service – No objection to the proposal.

Merseyside Environmental Advisory Service – No comments to make for this proposal.

Network Rail – Response to confirm that the proposal is on Network Rail owned land and will have to be approved prior to the commencement of any approval.

Neighbour Representations

Last date for replies: 2nd May 2012.

Representations received: Ward Councillor Dutton & Mr Doran (ward Councillor at the time of the meeting of Planning Committee on 2nd May 2012) requested that the application be determined by Committee. Ward Councillor Cuthbertson also submitted a letter of objection.

A petition with 92 (ninety two) signatures from Sefton residents has been submitted objecting to the proposal with the endorsement of Mr Doran (ward Councillor at the time of the meeting of Planning Committee on 2nd May 2012). No points of objection are made on the petition.

35 letters of objection have been received from the following addresses within Formby:

Neighbouring the proposal site: Numbers 3, 5, 7, 8, 9, 10, 11 & 12 The Birches, Numbers 1, 2 (two representations), 3 (two representations plus further representation expanding on previous letter) & 4 (two representations from named individual plus further representations expanding on previous letters) Golf Road, Unit 2 & 3 The Bridle, Numbers 3, 8, 10, 12 & 17 Montagu Road, Numbers 4 & 6 Victoria Buildings, Number 3 Victoria Way.

Non-neighbouring addresses: Number 13 Old Mill Lane (over 800 metres away from the application site), Number 14 Elson Road (over 2km away), Number 18 Vaughan Close (over 550 metres away), Number 18 Wicks Lane (over 900m away), Number 22 Rostron Crescent (over 2km away), Number 22 Sefton Road (over 1500m away), Number 31 Harington Green (over 1km away), Number 33 Lancaster Road (over 2km away), Number 46 Edenhurst Drive (over 1500m away), Number 51 Graburn Road (over 800m away) and Number 53 Beechwood Drive (over 2km away).

In addition, 4 objections have been made from the following addresses outside Formby:

'Lanthwaite' Windermere Road Hightown, Number 31 Southport Road Thornton (two representations) and Number 19 Rossett Road Crosby.

The points of objection raised in the representations relate to the visual intrusion of the mast to the detriment of residential amenity and to the character of the area, the perceived impact upon health and non-material considerations such as the impact on house values.

This item was deferred from the last meeting of Planning Committee to further consider a representation from Formby Parish Council. The objection raises issues regarding amenity but also raises as a point of objection that pre-application discussions were not held between the Parish Council and the applicant. The Parish Council states that their involvement would have addressed their concerns over the location of the mast.

It is noted that matters relating to land ownership have been raised but no evidence has been presented to the Authority that would invalidate the application.

Policy

The application site is situated in an area allocated as Urban Greenspace on the Council's Adopted Unitary Development Plan.

CS3 Development Principles
DQ1 Design
G1 Protection of Urban Greenspace
MD8 Telecommunications Development
National Planning Policy Framework

Comments

The main issue to be considered is the impact of the installation having regard to its siting, design and external appearance.

The National Planning Policy Framework is explicit in its requirements when considering applications for telecommunications development. The NPPF states that “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”.

In view of the requirements of the NPPF and as part of the proposal, the applicant has submitted a certificate to certify that emission will not exceed recommended levels (ICNIRP). Therefore the application cannot be refused consent on the grounds of the perceived risk of the proposal to health.

Whilst the fears of health effects may be a material consideration, given Government advice on the consideration of health implications of masts, it is not considered that the health concerns raised are sufficient to outweigh Government advice and the balance of evidence available at present.

In considering the impact of the mast I am mindful of the advice within the National Planning Policy Framework whereby emphasis is given on telecommunication development minimising environmental intrusion and identifying or facilitating mast sharing, and the requirements of Unitary Development Plan MD8.

The mast is to be sited in an area of designated Urban Greenspace, abutting a 1.8m high mesh fence that encloses the south bound platform at Freshfield Railway Station. To the east of the site is a protected tree, a sycamore marked T1 within Tree Preservation Order number 118 which provides a significant amount of screening to Montagu Road.

The mast is to be positioned over 26 metres to the west from the front boundary of Number 1 Montagu Road, the nearest residential property, and over 39 metres to the front elevation of this dwelling. The residential properties to The Birches, to the south east, and to Golf Road, to the south west, are over 30 metres away.

The proposal will provide for a shared installation between o2 and Vodafone, thereby limiting the need for a separate installation within the vicinity, and the applicant has provided evidence of their site selection process that has eliminated a number of potential sites, including existing telecommunications apparatus used by Network Rail. This site selection process has identified no alternative sites that will provide the level of coverage required by the operator to fulfil the remit of their Operator’s License.

Given the scale and siting of the proposed mast, 15.0 metres from ground level to the top of the antenna shroud and 0.4 diameter, views will not be readily available from public vantage points, save for the pedestrian platform to the Railway Station and its car parking area, and the mast being visible is not in itself reason to refuse. The finish of the mast is commensurate with other functional developments within the immediate area and as such is acceptable.

As the mast is positioned well away from residential properties, it will be screened to a significant degree by existing planting, a number of which are individually protected, and will not detract from the character of the area it is therefore recommended that as the proposal will not cause harm to residential amenity or be detrimental to the character of the area that prior approval be granted as the proposal complies with policy.

In addition to the above a further representation from Number 4 Golf Road also queried the procedure notifying neighbouring properties of the application. As specified by the Council's approved February 2011 Statement of Community Involvement for telecommunications applications (prior approval or full) all residential properties within 100m of the proposed equipment will be notified (a distance threshold that significantly exceeds statutory requirements). This was applied for this application and as such resulted in the notification of some, but not all, residential properties to Montagu Road and The Birches.

Further comments have been made by Number 4 Golf Road regarding informal pre-application discussions held between the Authority and the Applicant. The now-superseded Planning Policy Guidance 8 'Telecommunications' and the recently introduced National Planning Policy Framework state that it is good practice for operators to engage in discussion with Local Planning Authorities, and Ward Councillors, when considering sites for telecommunications development.

In this instance, discussions were held prior to the submission of an application but as is the case with any communication provided outside a formal Decision Notice any advice issued is informal officer advice and does not prejudice any recommendation made to or decision made by the Authority at a later date.

Reasoned Justification

The proposal will not have a detrimental impact on the visual amenity of the area. The applicant has demonstrated compliance with guidelines in respect of health and the siting and design of the proposed equipment is considered to be acceptable. When assessed against the Development Plan and all other material considerations, particularly policies CS3, DQ1, G1, MD8 and the National Planning Policy Framework the proposal is acceptable.

Conditions & Reasons

Notes

Drawing Numbers

100 B, 101 C, 200 C, 300 C, 400 B.

Existing site plan

Proposed site plan