

Development Management Report

Application ID: LA04/2018/2187/F	Date of Committee: 11 th December 2018
Proposal: Proposed replacement of existing 15m telecommunications mast with 20m column, including shroud enclosed antenna and associated works including 1No. equipment cabinet	Location: At edge of public footpath c.42m South of the junction of Malone Road and Cranmore Park Belfast BT9 6JG
Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation	
Recommendation: Approval Subject to Conditions	
Applicant Name and Address: Telefonica UK Limited 260 Bath Road Slough SL1 4DX	Agent Name and Address: Ross Planning 9a Clare Lane Cookstown BT80 8RJ
Executive Summary: <p>Planning Permission is sought for the replacement of the existing 15m telecommunications mast with 20m column, including shroud enclosed antenna to match existing and associated works including 1 equipment cabinet. The replacement mast is to be relocated approximately 4.3m northwards along the footpath.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none">• Principle of development• Impact on character and appearance of Conservation Area• Impact on Amenity• Health Considerations <p>The proposal utilises an existing shared site and the replacement mast whilst proposed 4.3 m from the existing mast is considered to be a more sustainable environmental solution rather than a new mast in an entirely new site. 1No cabinet is also proposed as part of the upgrade.</p> <p>It is accepted that this type of development would not preserve or enhance the character of the Conservation Area however, considering what already exists on the site, in principle however, it would be difficult to conclude that the proposal would have any further impact on the Conservation Area. The Conservation Area Officer offered no objection.</p> <p>The proposal comprises an upgrade to an existing site which is part of an established network. The location of the mast and cabinet with a backdrop of trees on Malone Road will help minimise any visual impact to residential properties behind the site. It is acknowledged that further apparatus at this location when read cumulatively with existing equipment has the potential to create visual clutter. However, this must be balanced against Government commitment to provide a high quality communications network which on balance, is considered to outweigh any potential for harm to the visual amenity of the area. An ICNIRP Declaration was received demonstrating that the proposal meets the ICNIRP guidelines.</p> <p>One representation have been received in relation to the application regarding timing and</p>	

processing of the application; health risks; and impact on the environment and conservation area.

Transport NI and Environmental Health offered no objection.

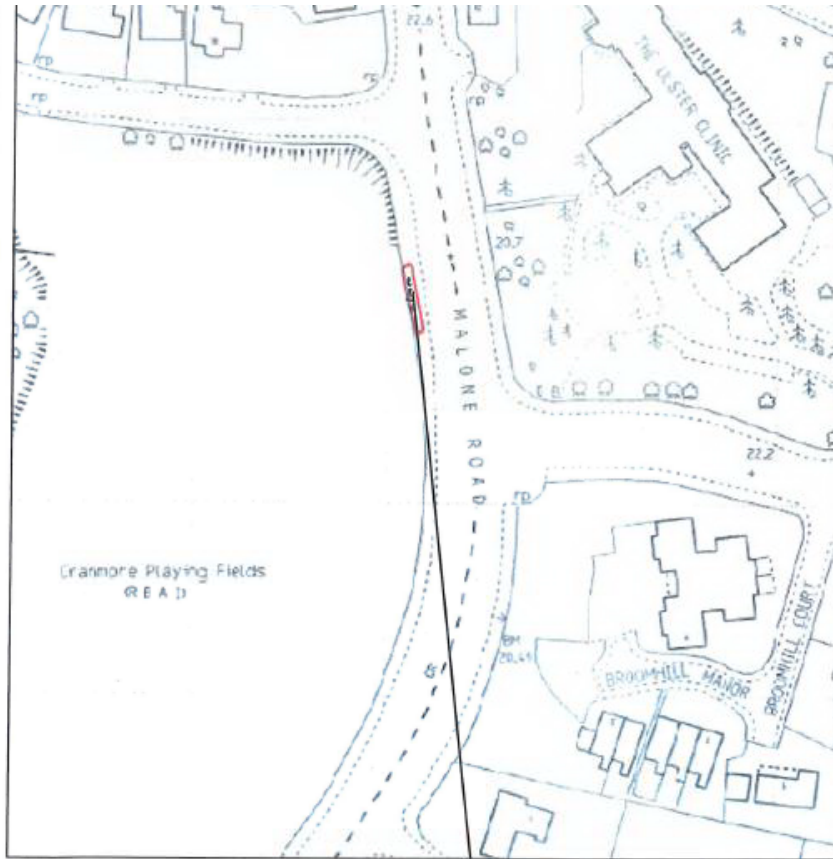
Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

Recommendation - Approval Subject to Conditions

Final wording of conditions to be Delegated to Director of Planning and Building Control.

Case Officer Report

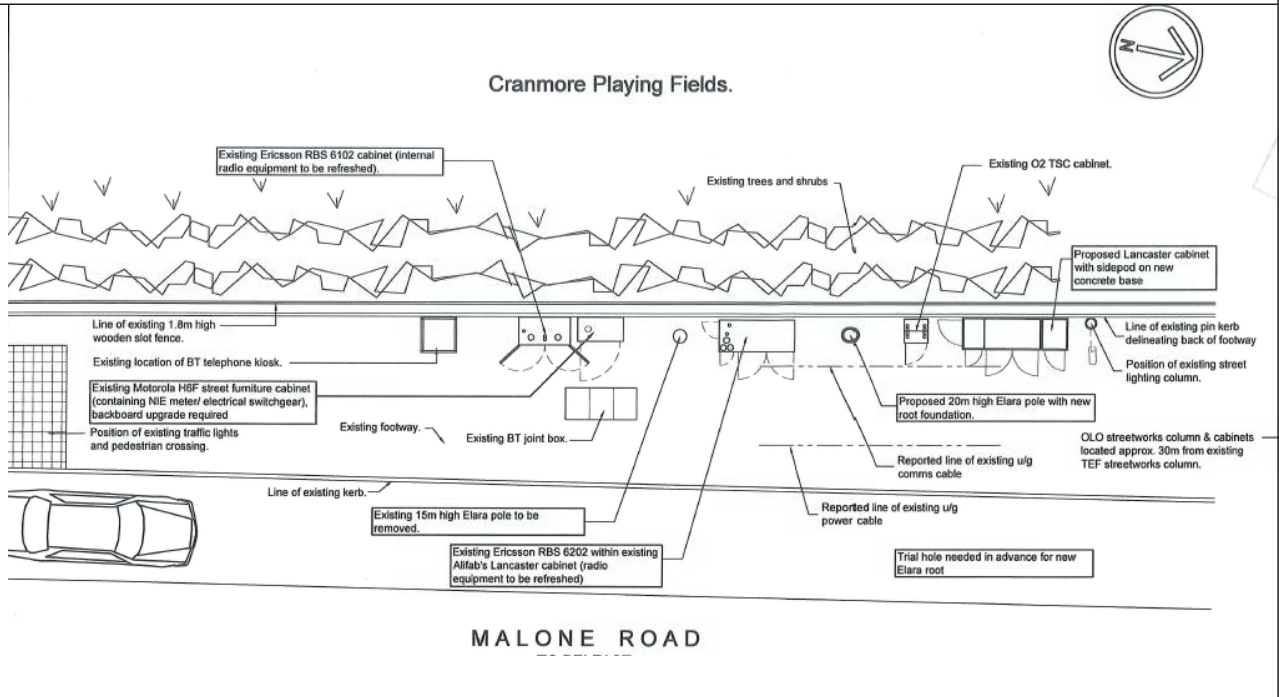
Site Location Plan



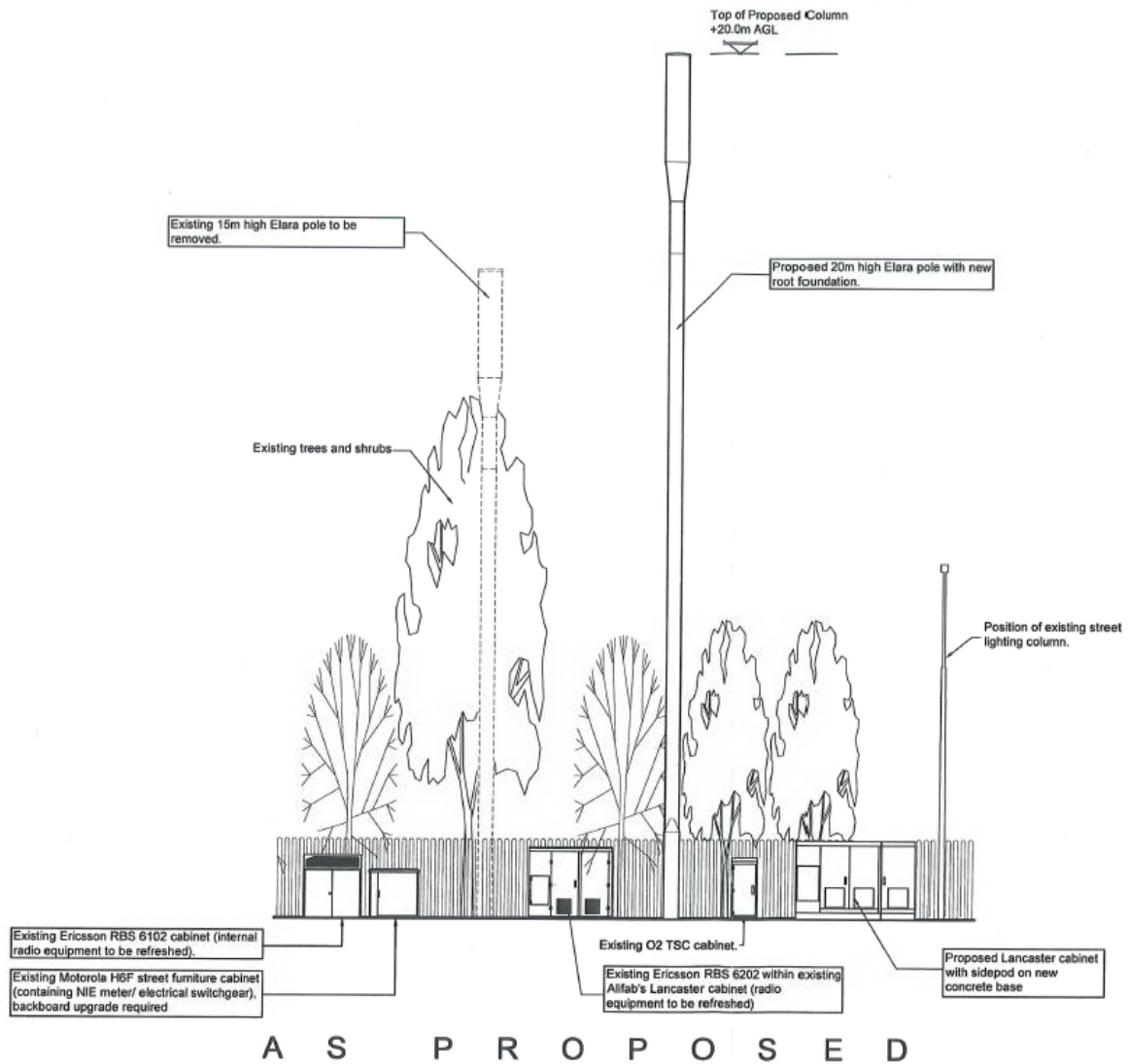
SITE LOCATION PLAN - 1:1250

EXISTING RADIO SITE

Aerial View



Cross Section



Characteristics of the Site and Area

<p>1.0 1.1</p>	<p>Description of Proposed Development</p> <p>Full planning permission is sought for the replacement of the existing 15m telecommunications mast with a 20m column, including shroud enclosed antenna and associated works including 1No equipment cabinet. The replacement mast is to be relocated approximately 4.3m northwards along the footpath from the existing location.</p>
<p>2.0 2.1</p>	<p>Description of Site</p> <p>The site is located on the public footpath approximately 42m South of the junction of Malone Road and Cranmore Park. The wider site currently contains a telephone box, 4No telecommunications boxes and a 15m high mast. Within close proximity to the site,</p>

2.2	<p>closer to the junction with Cranmore Park, is another 15m mast with 3 associated boxes. There is another junction box on the corner of Cranmore Park.</p> <p>The surrounding area is mainly low density residential with semi-detached and detached dwellings on large plots. To the rear of the site are playing fields and a hospital is located opposite. The site is within the Malone Conservation Area sub area I: Malone Road.</p>
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Planning Assessment of Policy and other Material Considerations

3.0	Site History				
	Reference	Location	Proposal	Status	Date
	Z/2011/1217/F	Existing O2 site at footpath 60m south of jct of Malone Road and Cranmore Park, Belfast, BT9 6JG,	Existing Nortel street furniture site cabinet to be replaced with a super vulcan cabinet	PERMISSION GRANTED	15.12.2011
	Z/2009/1581/F	Existing O2 radio base station at footpath approximately 60m south of junction of Malone Road and Cranmore Park, Belfast.	Replace existing 10m with 15m column to include both O2 and Vodafone antennae and additional cabinet for Vodafone and additional cabinet for O2.	PERMISSION GRANTED	09.02.2010

4.0 Policy Framework

4.1 Belfast Urban Area Plan

4.2 Draft Belfast Metropolitan Area Plan 2015

Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.

4.3 Strategic Planning Policy Statement for Northern Ireland (SPPS)

4.4 Planning Policy Statement 6- Planning, Archaeology and The Built Heritage

4.4.1 Policy BH 12 – New Development in a Conservation Area

4.5 Planning Policy Statement 10- Telecommunications

4.5.1 Policy TEL 1 – Control of Telecommunications Development

5.0 Statutory Consultees Responses
DFI Roads- No objection subject to condition.

6.0 Non Statutory Consultees Responses
BCC Environmental Health- No objection
BT- No objections
Eircom- Await formal response
Vodafone-Await formal response
Arqiva- Await formal response
Ofcom- - Await formal response

7.0	Representations
7.1	<p>The application has been neighbour notified and advertised in the local press. The Sans Souci Residents Association have objected specifically to an application at Sans Souci Park (LA04/2018/2410/F), however the annex of the objection letter refers to impacts cumulatively with similar applications and therefore are considered within the assessment of this proposal which is also located within the Malone Conservation Area. A number of questions were asked by the Residents Group to which answers are provided below:</p> <p>Who is being paid and how much, by the mobile phone providers (including BCC and government agencies?)</p> <p><i>The Planning Service would not be aware of any payments to BCC or government agencies with the exception of the planning fee which has been submitted to Belfast City Council of £357 in accordance with the planning fee regulations to process the application.</i></p> <p>What are the health risks of EMFs? Are children more susceptible?</p> <p><i>The planning system is not the place for determining health standards and health risks associated with such proposals. It is for the Department of Health, Social Services and Public Safety (DHSSPS) to decide what measures are necessary to protect public health.</i></p> <p>What physical testing is done to check compliance and by whom?</p> <p><i>The Planning Service is not responsible for physical testing.</i></p> <p>Please list and describe the specifications all proposed and current applications within a 1 mile radius of this application, together with a full analysis of how risks to the environment and to citizens' health will be managed?</p> <p><i>The Planning Service cannot provide a list of mobile phone installations. The ICNIPR declaration submitted by the applicant must take into account the cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the proposed locations.</i></p> <p><i>Which of these are located close to hospitals, schools or school facilities such as playing fields?</i></p> <p><i>The Planning Service considers the surrounding area when assessing each individual planning application. As stated in the description of site this proposal is located within close proximity to playing fields and a hospital.</i></p> <p>What is the present cumulative effect of exposure to high frequency emissions, as a result of all the mobile phone base stations and masts, currently?</p> <p><i>Again the planning system is not the place for determining health standards and health risks associated with such proposals. It is for the Department of Health, Social Services and Public Safety (DHSSPS) to decide what measures are necessary to protect public health. The ICNIPR declaration submitted by the applicant must take into account the</i></p>

	<i>cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the proposed locations.</i>
8.0	Other Material Considerations Malone Conservation Area- Sub Area I: Malone Road DCAN 14: Siting and Design of Radio Telecommunications Equipment
9.0	Assessment
9.1	At present there is an existing 15m telecommunications mast with enclosed antennae present on the site. As this equipment is no longer functioning at its optimum, it is proposed to increase the height of the column and antennae to 20m. In addition to the increase in the overall height of the mast it is also proposed to construct a new equipment cabinet within which all the electronic equipment will be placed. The cabinet will be placed on a concrete base.
9.2	The key issues to be considered are: <ul style="list-style-type: none"> - Principle of development - Impact on character and appearance of Conservation Area - Impact on Amenity - Health Considerations <p><u>Principle of Development</u></p>
9.3	The proposed development is considered under Planning Policy Statement 10 Telecommunications and the SPPS. The objectives for telecommunications set out in the SPPS replicates operational planning policy in PPS 10 which advises that proposals for telecommunications development and associated enabling works will be permitted where they will not result in unacceptable damage to visual amenity or harm to environmentally sensitive features of locations.
9.4	The SPPS and PPS 10 emphasise that mast sharing should be considered where appropriate. This proposal is an upgrade to an existing site which is part of an established network. It is proposed to run two nationwide networks from this base.
9.5	DCAN 14 recognises that existing masts may need to be replaced with a bigger structure with a consequent effect on visual amenity. The proposal includes replacement of an existing 15m mast with a 20m mast. The replacement mast is to be relocated approximately 4.3m northwards along the footpath from the existing location. 1No equipment cabinet is also proposed. There are currently four existing cabinets on the site. The proposal is set back from the road by approximately 3.5m and sit will be alongside four existing cabinets. The proposed cabinet measures 2.7m x 0.8m x 1.8m which will make it the largest cabinet on the existing site. It is acknowledged that the proposed mast and additional cabinets combined with existing equipment on this site has the potential to create visual clutter. However, the proposal is on the busy Malone Road with a well-established backdrop of trees. The existing operational site has a backdrop of trees and shrubs which is considered will minimise the visual impact of the increase in height and location of the mast and the insertion of the additional cabinet. In addition, weight must be attributed to the social and economic benefit to the community of high

	<p>quality communications infrastructure – in line with Government objectives. If Committee is minded to approve a condition could be attached requesting that the cabinets are painted matte green.</p>
9.6	<p>In addition, applicants must demonstrate that the sharing of existing equipment has been investigated and that a new mast represents the best environmental solution. The proposal utilises an existing shared site and the replacement mast and additional cabinet is considered to be a more sustainable environmental solution rather than a new mast in an entirely new location / site.</p>
9.7	<p>In terms of satisfying the remaining requirements of Policy TEL 10, the applicant has advised that the extended mast is required as the trees to the rear of the mast have grown higher and around the mast, causing ongoing interference. The increased height will also aid the ongoing housing development to the rear of the site (Belvoir Park). Paragraph 6.2 of PPS10 recognises that masts often require a particular operating height to allow signals to clear trees. Additionally, the UK government recognises the need for fast, reliable and cost-effective modern telecommunications. The additional cabinet is to house the additional equipment required to facilitate a 4G upgrade. As previously stated the applicant has considered environmental impacts by proposing an upgrade to an existing site rather than a new mast in a new location, on balance, this is considered to be a preferable option. The applicant has also supplied evidence that the base station when operational will meet the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) for public exposure to electromagnetic fields. This is accepted by the World Health Organisation as being based on the best evidence available to date. The ICNIRP declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the proposed location.</p> <p><u>Impact on Character and Appearance of the Conservation Area</u></p>
9.8	<p>It is accepted that this type of development would not preserve or enhance the character of the Conservation Area however, considering what already exists on the site, in principle it would be difficult to conclude that the proposal would have any further impact on the Conservation Area. The character of the section of footpath where the proposal is to be is set with being already dotted with street furniture relating to the existing telecommunications equipment. The Conservation Area Officer offered no objection to the proposal. On balance, it is considered that as it is proposed to relocate an existing mast to another location and add 1No further cabinet box within an already operational site, no greater harm will occur to the Conservation Area than already exists.</p>
9.9	<p>An objection letter from the Sans Soucci Residents Group state that the mobile phone masts are ugly, too large in scale, intrusive and out of character in a conservation area. The proposal is situated within an area of the footpath which already contains street furniture and is within close proximity to a street tree (15m high) to aid integration. The objection letter also queried the responsibility to make good the pavement following construction. It will be the applicant's responsibility and this will be conditioned if committee is minded to approve. The objection letter also refers to a decision taken by Bristol City Council to refuse a similar proposal, however this does not constitute precedent as the policy differs from Northern Ireland and the proposal was for an additional 4 cabinets compared to one in this proposal. Conversely, an Inspector allowed a mast in a conservation area in County Durham finding that the resulting harm to the</p>

	<p>conservation area would be outweighed by the social and economic benefit to the community of a high quality communications infrastructure.</p> <p><u>Impact upon Amenity</u></p> <p>9.10 As detailed in Development Control Advice Note 14 – Siting and Design of Radio Telecommunication Equipment - all telecommunications development, including the siting masts, equipment housing, access tracks and power supplies, should be planned to avoid adverse impact on sensitive features and locations. Applicants should submit suitable evidence to show that alternative locations in less sensitive areas have been investigated and cannot be used. Where such locations cannot be avoided extra care will be required to ensure that the visual and environmental impact of the telecommunications apparatus and any ancillary works is minimised. The location is established as a telecommunications site and this proposal utilises the existing site rather than proposing a new location.</p> <p>9.11 This upgrade is to provide 4G to public. The remaining cabinets facilitate 2G and 3G communications. It is accepted that the proposal when viewed cumulatively has the potential to create visual clutter. This must be balanced against Government’s objective to provide modern efficient telecommunications that will give Northern Ireland a competitive advantage. As stated above if committee is minded to approve it is recommended that a condition is attached requesting that the cabinets are painted matte green. In addition, it is recommended that when such times the cabinets become redundant these should be removed by the operator and the land restored to its former condition. The location is also an established telecommunications site and this proposal utilises the existing site rather than proposing a new location. On balance, taking these factors into consideration the proposal is consider to be appropriate at this location.</p> <p>9.12 The proposed mast does not directly face any residential property and is not considered that the proposal will have any further impact on residential amenity than the existing mast.</p> <p><u>Impact upon Health</u></p> <p>9.13 As stated above in paragraph 9.7, the application was accompanied by an International Commission for Non-Ionising Radiation Protection (ICNIRP) Declaration which certifies the site is designed to be in full compliance with the requirements of the radio frequency guidelines of the International Commission on Non-Ionizing radiation (ICNIRP) for public exposure s expressed in the EU Council recommendation of July 1999. The ICNIRP declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations present at, or near, the proposed location. It is considered that the proposals meets the ICNIRP guidelines and therefore addresses health concerns.</p> <p>9.14 Significantly, paragraph 6.29 of PPS 10 states that the planning system is not the place for determining health safeguards. Paragraph 6.30 of PPS 10 states that while there is a need for further research into health impacts, the current guidelines of the International Commission on Non-Ionising Radiation Protection are based on the best evidence available to date. Accordingly, where concern is raised about the health effects of exposure to electromagnetic fields, if the proposed mobile telecommunications development meets the ICNIRP guidelines in all respects, it should not be necessary for</p>
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	<p>the Council to consider this aspect further. The applicant has provided a declaration of conformity with the ICNIRP guidelines as required by Policy TEL 1.</p>
9.15	<p>Consultation with a range of bodies (paragraphs 5.0 and 6.0) was carried out and no objections were raised. Consultations remain outstanding for Eircom, Vodafone and Ofcom – no objections are considered likely.</p>
9.16	<p>The SPPS at paragraph 6.235 recognises that high quality communications infrastructure are essential for economic growth and identifies a need for a more efficient telecommunications infrastructure that will give Northern Ireland a competitive advantage. SPPS at paragraph 6.236 states that modern telecommunications are an essential and beneficial elements of everyday living for the people of and visitors to this region. It is important to continue to support investment in high quality communications infrastructure which plays a vital role in our social and economic wellbeing.</p>
9.17	<p>In conclusion, the proposal comprises an upgrade to an existing site which is part of an established network. The location of the mast and cabinet with a backdrop of trees on Malone Road will help minimise any visual impact to residential properties behind the site. It is acknowledged that further apparatus at this location when read cumulatively with existing equipment has the potential to create visual clutter. However, this must be balanced against Government commitment to provide a high quality communications network which on balance, is considered to outweigh any potential for harm to the visual amenity of the area. An ICNIRP Declaration was received demonstrating that the proposal meets the ICNIRP guidelines.</p>
9.18	<p>Having regard to the policy context and other material considerations above, the proposal is considered, on balance, acceptable and planning permission is recommended subject to conditions for the following reasons.</p>
10.0	<p>Summary of Recommendation: Approval</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. The proposals shall be erected in the positions shown on drawings no. 02 and 03 both bearing the date 30th August 2018. Reason: In the interests of road safety and the convenience of road users. 3. Within three months of the installation of the replacement 20m high Elara pole, the existing 15m high Elara pole mast shall be removed as shown in drawing 03 date stamped the 30th August and the footpath returned to its previous condition. Reason: To protect the character of the Malone Conservation Area.

ANNEX

Date Valid	30th August 2018
Date First Advertised	21st September 2018
Date Last Advertised	
Details of Neighbour Notification (all addresses) Eileen Sung 4, Sans Souci Park, Belfast, Antrim, Northern Ireland, BT9 5BZ The Owner/Occupier, Royal Belfast Academical Institution, College Square East, Belfast, BT1 6DL The Owner/Occupier, The Ulster Independent Clinic Ltd, 245 Stranmillis Road, Belfast, Antrim, BT9 5JH,	
Date of Last Neighbour Notification	19th September 2018 4 th December 2018
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title 01 Site Location Plan, 02 Proposed Layout, 03 Proposed Elevations	
Notification to Department (if relevant) N/A Date of Notification to Department: Response of Department:	
Representations from Elected Members: Cllr Boyle – Requested the application be decided by Committee	