

DECISION DATE 27 March 2007	APPLICATION NO. 06/01583/FUL A10	PLANNING COMMITTEE: 19 March 2007
DEVELOPMENT PROPOSED ERECTION OF A 20M STREETWORKS MONOPOLE, 3 ANTENNAE AND 2 EQUIPMENT CABINETS		SITE ADDRESS PUMPING STATION OXCLIFFE ROAD MORECAMBE LANCASHIRE
APPLICANT: T Mobile Hatfield Business Park Hatfield Hartfordshire AL10 9BW		AGENT: Daly International

REASON FOR DELAY

Not applicable.

PARISH NOTIFICATION

Heysham Neighbourhood Council - No observations received at the time this report was prepared.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Highways - Observations awaited.

Environmental Health - Observations awaited.

OTHER OBSERVATIONS RECEIVED

In total 22 letters and e-mails have been received from and on behalf of people living in the area, who object on the following grounds:

- Inappropriate feature in the landscape
- Enough mobile phone base stations in the area already
- Mast facilities should be shared between the different operators
- Loss of outlook
- Possible health risks; it is pointed out that there is a school in the area
- Alleged interference with TV and radio reception
- Loss of property value (this is not a planning consideration).

Some of the residents of Levens Drive complain that the proposal has not been advertised sufficiently widely. One of the letters complains that the number of applications for mobile phone installations in the area amounts to harassment.

REPORT

This application was originally identified as one for determination by the Head of Planning Services under delegated powers. It has been referred to Committee because of the large number of objections received from people living in the area, and because of its association with another installation on the same site which was controversial.

The site of the proposal is the pumping station adjoining the bridge carrying Oxcliffe Road over the Morecambe to Heysham railway line. The mast would be a tall stepped pole, resembling an oversized street lighting column, with the antennae mounted on the top. As is usual with this type of applications of this type, the applicants have provided a statement by their Design Engineer that the proposal meets internationally recognised safety standards.

Policy E23 of the Lancaster District Local Plan says that applications for telecommunications installations will be permitted where the applicant can demonstrate that it is sited and designed to minimise, as far as possible, its impact on residential amenity, Listed Buildings and Conservation Areas, Scheduled Ancient Monuments, Archaeological Areas, nature conservation interests and areas of high quality landscape; the possibility of erecting antenna on existing buildings and masts has been fully explored; the apparatus has been sited to minimise its impact; and account has been taken of the need to accommodate the growing needs for network development, including those of other operators.

As some of the objectors to the proposal point out, this is not the only mobile phone base station in the immediate area. The existing ones are as follows:

- A conventional mast type installation at Whittam House Farm
- A mast disguised as a silo at the back of Fanny House Farm
- Another mast disguised as a silo, within the pumping station compound.

At Fanny House Farm the "stealth" approach has worked well; without prior knowledge, it is very difficult to identify the silo as anything other than a bona fide agricultural building. When the first proposal for a base station within the pumping station was considered it seemed logical to point the applicants in the same direction, which is why the option of a further silo was adopted. The proposal was a controversial one, but it was approved by Committee in March 2005 (application 05/00121).

A number of the objections are based on health and safety concerns about mobile phone base stations. Central government advice on the subject, as set out in PPG8 (planning Policy Guidance: Communications) is quite clear: although there is an issue to be addressed, the planning system is not the right forum in which to consider it. Provided that the application is accompanied by a statement that it meets the recognised international safety guidelines, it has to be determined purely in terms of its impact on the landscape.

The applicants have provided a list of other sites which they have considered, but rejected as unsuitable or unavailable:

St Patrick's RC Church, St Johns Road - The spire does not lend itself to accommodating the antenna (the applicants are apparently unaware that the building is in any case redundant, and about to be demolished)

Sandylands Seafront - The open space is large enough to accommodate the proposed structure, but the size of the structure which would be needed and the number of residential properties nearby posed technical problems.

Existing Vodafone Mast at Oxcliffe Road - This would require replacing the existing mast with a much larger and more intrusive one.

Existing Orange Mast at Fanny House Farm, Oxcliffe Road - The tower is physically incapable of meeting their requirements.

Oxcliffe New Farm Gypsy Caravan Site, Oxcliffe Road - The site is relatively small and densely occupied with caravans.

The applicants have been asked to explain why the existing silo at the pumping station is unsuitable for sharing. They have replied that there is insufficient space inside the structure as it already accommodates six antennae.

The ideal arrangement in this case would be another "stealth" solution but a further silo would not be appropriate in this location. Nor would an artificial tree, of the kind used at Bolton-le-Sands: it would be too close to public views to be convincing in the landscape. It should however be possible to identify a location for a disguised mast of this type within the open area to the east of the railway line, away from houses. Since the last two operators to establish masts in the area have disguised them, it is considered that any future operators should be required to take the same approach and that the present application should be resisted.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). There are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That **PERMISSION BE REFUSED** on the following grounds:

Contrary to policy E23 - site and mast chosen do not minimise impact on the area.