

BOROUGH OF KETTERING

Committee	Full Planning Committee - 30/06/2015	Item No: 5.5
Report Originator	Duncan Law Development Officer	Application No: KET/2015/0177
Wards Affected	Ise Lodge	
Location	Ise Garden Centre, Warkton Lane, Kettering	
Proposal	Full Application: Replacement of 3 no. antennas with 6 no. new antennas on the existing monopole. Installation of a 300mm transmission dish and ancillary development works	
Applicant	CTIL And Telefonica UK Ltd	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing numbers 201 and 301 received by the Local Planning Authority on 26th February 2015.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2015/0177

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0

Information

Relevant Planning History

KET/1999/0729 – Erection one 15 metre slim line column complete with integrated antennas, two communication dishes and radio equipment housing – Confirmed as permitted development

KET/2005/0858 – Replacement of existing approximately 17.5 metre telecoms mast with 20 metre column and increase in compliment of antenna from 3 to 6 – Refused and appeal dismissed

KET/2008/0460 – Installation of 3 no. additional antenna on a modified head frame on the existing 15 metre monopole – Refused

KET/2008/0939 – Replacement of monopole and antennae – Refused

Site Description

Officer's site inspection was carried out on 12/05/2015

The application site is located on the eastern side of Warkton Lane, a 'C' road found to the east of Kettering. The wider application site is occupied by a garden centre with open countryside to the north and east of the site while to the south is residential development from the 1980's. Residential properties also lie to the west of the site, separated by a residential service road from Warkton Lane. An established mature hedge separates the residential properties from the application site. The residential properties on the opposite side of Warkton Lane from the proposal are approximately 189 metres away from the proposed mast. The property nearest to the application site, 96 Warkton Lane and to the southwest of the mast is approximately 85 metres away.

There is an existing 15-metre high monopole erected in approximately 1999 located on a concrete plinth with associated plant equipment in the north-eastern corner, to the rear of the application site. With the additions of antenna, the total current height is 17.8m. To the south of the site are buildings related to the operation of the garden centre and to the west is the car park for the site.

There is large residential development proposed to the east of the site as part of Kettering's Sustainable Urban Extension and there are houses proposed adjacent to the mast. As a result, the land owners (Hallam Land) and developers (David Wilson Homes and Barrett's) have also been consulted. The existing mast was however in situ at the time of the granting of the initial outline planning permission for the East of Kettering and reserved matters approval for the adjacent DWH and Barrett developments approved under KET/2013/0213.

Boundary treatments consist of mature vegetation to the north and east boundaries of the application site surrounding the existing mast. To the western boundary and adjacent to Warkton Lane is a 2 metre dense hedge. There is also a 2 metre dense hedge on the opposite side of the road, providing screening for the residential properties to the west of the application site. At the junction of Deeble Road and Warkton Lane there is an approval for highway works known as Access D into the East of Kettering site. This will involve the construction of a roundabout at that junction and alterations to the service road which serves numbers 93 -109 Warkton Lane. The alterations to this service road include removing a 2m section of this screening hedge however a landscaping buffer will be ensure that screening qualities are maintained.

Proposed Development

Replacement of 3 no. antennas with 6 no. new antennas on the existing monopole. Installation of a 300mm transmission dish and ancillary development works. The works will reduce the overall height by 800mm to 17m however the overall mast head width will expand from 600mm to 1500mm

Any Constraints Affecting the Site

C Road

4.0

Consultation and Customer Impact

Parish/Town Council

No comments received

Environmental Health Department

No comment or objections

Neighbours

Hallam Land Management, Kettering East developers –

- No objection if installation complies with guide lines set out by International Commission for Non-Ionising Radiation Protection

BDW Trading (on behalf of David Wilson Homes and Barratt developers, Kettering East developers)

- No comments received

Residents of 103 Warkton Lane (2 submissions).

Object on the grounds of:

- Failure to notify residents
- Visual impact
- Effect on surrounding houses and new development (East Kettering) of schools and homes re: health implications
- Impact on property values
- Lack of adequate landscaping
- Mast should be sited away from houses and schools

Residents of 96 Warkton Lane (1 submission on behalf of 3 residents).

Object on the grounds of:

- Failure to notify residents
- No consultation by applicant with neighbours
- Mast is a blot on landscape
- Previous applications refused to visual and dominant impact on character and appearance of area
- Any increase will make object more intrusive
- Removal of large trees has increased visual impact
- Masts should be located away from residences to avoid adverse health effects
- Effect on surrounding houses and new development (East Kettering) of schools and homes re: health implications
- Visual impacts when view from house and garden

Residents of 101 Warkton Lane (4 submissions)

Object on the grounds of:

- Failure to notify residents
- Health concerns (questioned if certification has been received confirming installation complies with guide lines set out by International Commission for Non-Ionising Radiation Protection)

Residents of 109 Warkton Lane (1 submission)

Object on the grounds of:

- Effect on surrounding houses and new development (East Kettering) of schools and homes re: health implications
- New mast will be an eyesore and not in keeping with character of area

5.0

Planning Policy

National Planning Policy Framework:

Policy 5 – Supporting a High Quality Communications Infrastructure

Policy 7 – Requiring Good Design

North Northamptonshire Core Spatial Strategy:

Policy 13 – General Sustainable Development Principles

6.0

Financial/Resource Implications

None

7.0

Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design and Impact on Character
3. Impact on Neighbouring Amenity
4. Comments on other points raised by the proposal

1. Principle of Development

The National Planning Policy Framework (NPPF) states that advanced, high quality communications infrastructure is essential for sustainable economic growth and the development of high speed broadband technology and other communication networks plays a vital role in enhancing the provision of local community facilities and services (Policy 5). Paragraph 43 of Policy 5 encourages the reuse of existing masts while Paragraph 45 states that applications for telecommunications development should be supported by the necessary evidence to justify the proposal. Specifically, this should include the outcome of consultations with organisations with an interest in the proposed development and where an addition to an existing mast is proposed a statement should be provided that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines. The location was chosen as it would allow enhanced coverage by utilising an existing mast. As the application is for an upgrade to an existing mast that will enhance the coverage, alternate locations were not considered.

The justification for the additions is that Telefonica UK and Vodafone have entered into an agreement to jointly operate and manage as a single network. To this end, the companies will be able to 'pool' their resources which will consolidate the number of base stations thereby reducing any impacts of network development.

Paragraph 46 of the NPPF states that local planning authorities must determine applications on planning grounds and they should not seek to prevent competition between different operators, question the need for the telecommunication system or determine health safeguards if the proposal meets International Commission guidelines for public exposure. Therefore, subject to appropriate justification for the need for the additional antenna and the dish the proposal is likely to be considered acceptable in principle.

2. Design and Impact on Character

Policy 7 of the NPPF requires good design while Policy 13 (h) of the North Northamptonshire Core Spatial Strategy (CSS) requires development to be of a high standard of design and to respect and enhance the character of its surroundings. Policy 5 of the NPPF encourages the reuse of existing masts in order to limit the number of telecommunication masts and thereby limit the

visual intrusion of such structures. As outlined above the proposal involves the replacement of 3 no. antenna with 6 no. antenna and 1 no. new dish on an existing mast to the north-eastern corner of the Ise Garden Centre. The height of the existing mast will be remain the same although from the information submitted, it appears that the overall height of the structure will reduce by approximately 0.5 metres as a result of the replacement of the antenna. However, the width of the head frame will increase from approximately 0.5 metres to 1.5 metres to accommodate the proposed 6 no. antenna. While the mast is sited in a relatively prominent position and the increased width of the head frame will make the structure more prominent it is considered that the additional impact on the character and appearance of the area would not be of a significance difference to the existing situation to warrant a refusal of planning permission in this instance as the proposal complies with the design requirements of Policy 7 of the NPPF and Policy 13 (h) of the CSS.

3. Impact on Neighbouring Amenity

Policy 13 (l) of the CSS requires development not to result in an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. It is considered that the proposal will not result in an unacceptable impact on neighbouring amenity. A number of neighbouring residents submitted objections focusing on the adverse visual impact of this proposal however as stated above, the proposal is not significantly different to the existing that benefits from planning permission

Supplementary neighbour comments were received that raised concerns with regard to the potential adverse health implications resulting from the increase in the antennae on their properties and the residences/schools proposed to the east of the site as part of the wider Kettering East development. Paragraph 45 of the NPPF states that where an addition to an existing mast is proposed a statement should be provided that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines. The applicant has provided the required document that declares the proposal to be in compliance with the requirement of the radio frequency public exposure guidelines of the International Commission for Non-Ionising Radiation Protection on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz). In addition, KBC's Environmental Health Department had no comment or objections to the proposal which therefore accords with Policy 13 (l) of the CSS.

There are approvals for residential development to the east of the site as part of the Kettering Sustainable Urban Extension. However as the mast was in situ, it is not considered that the additions to the mast will result in adverse neighbouring amenity.

4. Comments on other points raised by proposal **Consultation**

A number of objections were received as a result of the lack of neighbour notification in the initial consultation phase. Kettering Borough Council undertakes consultation in accordance with the adopted Statement of

Community Involvement document. This is prepared on behalf of the North Northamptonshire Joint Planning Committee and the four district/borough councils in North Northamptonshire (Corby Borough Council, Kettering Borough Council, Borough Council of Wellingborough and East Northamptonshire Council). A site notice was displayed on the 11th March 2015 on a lamppost at the junction of Deeble Road and Warkton Lane. All valid applications received each week are compiled in a weekly list, copies of which are sent to Councillors, Parish Councils and other individuals or groups who have given prior notice of their interest. Notification letters are sent out by post to neighbouring properties when an application is received. Certain types of application are advertised by means of a notice placed on, or adjacent to the site and some may be advertised in the press.

In this instance, the application site boundary was drawn around the mast compound only and did not include the wider site of the Garden Centre. As neighbour notification letters are only sent to direct neighbours, only the garden centre received a notification letter (NBR). As soon as the officer was made aware of this, additional NBR letters were sent to any property that may be affected by the proposal in order for them to comment. A site meeting was also arranged and attended by the officer and residents of Warkton Lane to meet concerned neighbours to discuss objections and any concerns. The documents submitted by the applicant also indicate an early consultation meeting with the Ise Lodge ward councillors (Cllrs Bunday, Lynch and Hollobone)

Conclusion

The proposal is considered to be in accordance with the development plan, local and national policy and is recommended for approval

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Duncan Law, Development Officer on 01536 534316