

PLANNING APPLICATIONS COMMITTEE

16 JANUARY 2020

APPLICATION NO.

19/P2673

DATE VALID

12/07/2019

Address/Site: Transmitter Mast, Blenheim Close
Raynes Park

Ward: West Barnes

Proposal: REPLACEMENT OF EXISTING EQUIPMENT CABINETS
AND MONOPOLE WITH A 20 METRE HIGH POLE WITH
12 x ANTENNA APERTURES AND NEW EQUIPMENT
CABINETS

Drawing No.'s: Site location plan,
1013138_MTN002_50984_SW0267_M001_A 215 & 265.

Contact Officer: Tony Smith (020 8545 3144)

RECOMMENDATION - Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 63
- External consultations: 0
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood Zone: 1
- Designated Open Space: No, but adjacent to Open Space
- ICNIRP Certificate Provided: Yes

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the number and scope of objections received.

2. SITE AND SURROUNDINGS

2.1 The application site comprises a triangular parcel of LBM highway land located

on pedestrian pavement at the south-western bend of Blenheim Close within Raynes Park. The site currently encompasses an 11.7m high phase 4 monopole together with 4 associated cabinets which provides 3G and 4G network signal coverage. An existing 5m high lamp post is situated directly in front of the site within the same section of pavement. The site has an approximate area of 29 sq.m.

- 2.2 Blenheim Close is a residential cul-de-sac off Blenheim Road which exhibits semi-detached dwellings to the south-east. To the north is Blenheim Road which features a mixture of detached, semi-detached and terraced dwellinghouses and a residential care-home. The site adjoins the south-eastern corner of no. 10 Blenheim Road to the end of the rear garden with the rear garden of no. 8 across the street to the north-east.
- 2.3 To the south, the site also adjoins a designated Open Space formerly known as the London Electricity Sports Ground (LESSA). This site has been developed in recent years to form the Raynes Park Residents Lawn Tennis Club and associated grounds, together with residential dwellings further south on Meadowview Road.
- 2.3 The site is not located within a conservation area, however, numbers 2 – 8 Blenheim Road to the north-east are Locally Listed buildings.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the replacement of the existing 11.7m high monopole with a new 20m high monopole and the installation of additional ancillary cabinets, as part of a nationwide telecommunications upgrade scheme.
- 3.2 The proposed monopole would have a maximum height of 20m, with an increase in height of 8.3m. The new monopole would be relocated approximately 2m to the east and the width of the column would increase to 0.5m, or that of the existing shrouded headframe, and would have a minimum width of 0.35m. 12 antenna apertures would be installed to the headframe which would have a maximum width of 0.75m at the widest points. Two of the existing cabinets would be removed as part of the proposal, two cabinets would be retained and a total of 7 new cabinets would be installed to the western and southern boundaries of the site. There would therefore be a net increase of 5 cabinets. The proposed cabinets would range in height from 1m to 1.9m.
- 3.3 The proposed works are in connection with national schemes to upgrade existing network coverage from 3G & 4G to 5G as part of a joint venture between EE & 3 mobile operators.
- 3.4 The application is accompanied by ICNIRP certification to the effect that the proposals would not breach the relevant international health safety thresholds for public exposure to radio frequency. A planning statement accompanying the application provides background information regarding site selection.

4. PLANNING HISTORY

- 4.1 06/P0812 - ERECTION OF A MONOPOLE MAST AND 3 ANTENNA, WITH AN OVERALL HEIGHT OF 12 METRES AND THE INSTALLATION OF ASSOCIATED EXTERNAL EQUIPMENT CABINETS AT GROUND LEVEL (APPLICATION FOR DETERMINATION AS TO WHETHER THE PRIOR APPROVAL OF THE AUTHORITY WILL BE REQUIRED FOR THE SITING AND APPEARANCE OF THE DEVELOPMENT).

Application refused 24/05/2006, allowed at Appeal 10/01/2007.

Reason for refusal:

- i) The proposed mast, by reason of its size and siting, constitutes an intrusive feature in this predominantly residential setting which would be harmful to the visual amenities of the Blenheim Close streetscene and adjacent open space, contrary to policies BE.3 5 and BE.3 6 of the Adopted Unitary Development Plan 2003.

In allowing the appeal the Planning Inspector observed that the installation is a relatively secluded location in this part of Raynes Park and the mast would not be conspicuous from many vantage points. The Inspector considered that the pole would have a limited effect on the outlook from houses in Blenheim Road to the north and not be incongruous when seen from the (at the time of the appeal) disused open space to the south.

- 4.2 15/P3462 - REPLACEMENT OF EXISTING 12 METRE TELEGRAPH POLE WITH NEW 12 METRE PHASE 4 MONOPOLE WITH 1 X ADDITIONAL EQUIPMENT CABINET (APPLICATION FOR DETERMINATION AS TO WHETHER THE PRIOR APPROVAL OF THE LOCAL PLANNING AUTHORITY IS REQUIRED FOR THE SITING AND APPEARANCE OF THE DEVELOPMENT).

Prior Approval Not Required 21/01/2016.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of post sent to 63 neighbouring properties. The outcome of the consultation is summarised as follows:

- 5.2 Representations were received from 6 properties raising the following concerns:

- Visual intrusion to properties
- Harmful impact to visual amenity of area
- Appeal related to a wooden pole, which blended in with treescape, not a metallic pole
- Development of Meadowview Road dwellings has increased number of people impacted
- Much taller than surrounding elements
- Not designed specifically for site
- Lack of consideration for alternative sites
- Suggestions for alternative sites
- Obstruction of pavement
- Structural integrity and increased damage radius from falling
- Increase in sound pollution
- Shadowing
- Impact on locally listed buildings
- Failure to consult local Councillors

- Health and radiation
- Devaluation of property
- Misleading statements from applicant

5.3 LBM Environmental Health Officers: No objection.

5.4 LBM Transport and Highways Officers: No objection.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2018)

10. Supporting high quality communications infrastructure

6.2 London Plan (2016)

Relevant policies include:

7.4 Local Character

7.5 Public Realm

7.6 Architecture

7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

7.18 Protecting local open space and addressing deficiency

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)

Relevant policies include:

CS 11 Infrastructure

CS 12 Economic Development

CS 13 Open Space, nature conservation

CS 14 Design

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

DM D1 Urban Design and the Public Realm

DM D2 Design considerations in all developments

DM EP2 Reducing and mitigating noise

DM O1 Open Space

DM D6 Telecommunications

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Health and radiation
- Transport, highway network, parking and sustainable travel
- Response to objections

Principle of development

7.2 NPPF 2019 paragraph 112 encourages the delivery of improved communications infrastructures, stating: *'Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-*

being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections’.

- 7.3 Paragraph 115 requires that applications for such developments should be accompanied by the following:
- a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and
 - b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or**
 - c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.
- 7.4 Given the presence of the existing monopole, the principle of having telecommunications equipment in this location has been established since 2007. With regard to the principle of upgrading the existing site rather than installing a new mast in an alternative location, the applicant has provided justification within their accompanying documents.
- 7.5 Alternative sites have been considered for a potential mast, including on buildings within the immediate local area and a relocation northwards to Blenheim Road. The nature of 5G signals requires an increased height to provide adequate coverage due to the shorter wavelengths and an increased shadowing effect of adjacent buildings and structures, and therefore there is a lack of buildings within this coverage area that would be tall enough to accommodate this requirement. Taller buildings further from the site would be too far away to provide appropriate signal coverage in the area and relocating the existing mast to Blenheim Road could impede the normal use of the footway and could reduce visibility at the junction for motorists. The existing coverage that the site provides has therefore been determined as the optimal solution to provide maximum benefit to the wider area and without increasing the number of masts required. It is therefore considered upgrading the existing mast is considered acceptable in this instance.
- 7.6 It is recognised that the proposed works seek to meet national and local objectives to upgrade telecommunications infrastructure, in line with NPPF policy. Furthermore, the application is supported by the required documentation and justifications as outlined above. It is therefore considered that the principle of development is acceptable, subject to the proposal meeting national and local policy, namely considering the proposed impact to the character of the area and adjacent open space, neighbouring amenity and the operation of the highway.

Design and impact upon the character and appearance of the area and Open Space

- 7.7 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DMD2 require well designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of their surroundings.
- 7.8 DMD6 of Merton SPP relates specifically to telecommunications equipment, seeking to minimise adverse impacts on visual and environmental amenity and public safety, particularly in residential areas, or sensitive skylines/other sensitive locations.
- 7.9 The site is not within any planning designations itself, however, it is recognised that the site lies adjacent to Open Space in the form of the Raynes Park Residents Lawn Tennis Club. Local policies DM O1 of the Sites and Policies Plan 2014 and CS 13 of the Core Strategy 2011 seek to ensure that developments do not prejudice the use or access of Open Spaces or cause harm to their visual amenity. The shared boundary with the site does not provide any means of access to the open space, and there already exists a monopole and associated equipment in this location. As such, it is not considered the replacement of the monopole or introduction of additional equipment in this location would prejudice its use or means of access.
- 7.10 With regard to the visual impact of the proposal on the Open Space, it is acknowledged that the proposed monopole would be approximately 8m higher than the existing equipment, and would be wider on average, with the majority of the monopole being 0.5m in diameter compared to 0.2m – 0.5m of the current pole. It is acknowledged that similar, albeit shorter, vertical elements are present within the open space to the south east in the form of flood lights for the tennis courts. Whilst not directly similar, the presence of the proposed monopole would not be wholly out of keeping in this context, and together with its siting at the far corner of the space, would aid to reduce its impact. Considering its siting and vertical, slimline design, it is not considered the proposal would materially detract from the visual amenity of the Open Space as to warrant its refusal.
- 7.11 It is also acknowledged that numbers 2 – 8 Blenheim Road to the north-east are designated as Locally Listed buildings. The significance of these locally listed buildings lie primarily in their historic and architectural interest, both individually, and as a group. The architectural interest lies principally in the façade detailing; with gabled façade and decorative plasterwork, carved wooden porches, bay windows, timber balconies and low, sweeping eaves. The proposed monopole would be sited to the rear of no.8, with a separation of approximately 37m due to the large rear garden. Whilst it is acknowledged that the monopole would be more readily visible from the streetscene, given its large separation from the locally listed buildings, together with their scale and height, the monopole would be mostly, if not wholly obscured from the street along this section and not read together with the buildings. As such, it is not considered the monopole would detract from the character or appearance of these buildings individually, or as a group. The architectural interest would therefore be preserved.

7.12 The monopole and cabinets would therefore only have principle views from the streetscene at the junction of Blenheim Road and Blenheim Close, and along Blenheim Close itself. The net increase of cabinets is not considered to result in an overly cluttered or obtrusive form of development and their scale is not considered to be overly dominant on the streetscene. It is acknowledged that the monopole's presence would be increased somewhat significantly due to the increased height, however, such structures have become commonplace on streets and its siting in a secluded location serves to reduce impact with views mainly coming from passing along Blenheim Road to the north. The proposal seeks to meet national objectives to improve network infrastructure, and this is a material consideration in which its impact is assessed. It is considered that whilst there would be some impact on the character of the streetscene, this would be limited by its width and location, and would not be so great as to warrant a refusal against the wider community benefit and national objectives to improve telecommunications quality and coverage.

7.13 As mentioned within the Principle of Development section above, the siting of the proposal has been considered by the applicant as per the requirements of the NPPF 2019. Whilst it is preferable to site such equipment on roofs of existing buildings, given the low level residential nature of the area, sufficient locations are not available in this instance. It has therefore been considered that this is the most appropriate location.

Impact upon neighbouring amenity

7.14 London Plan policies 7.6 and 7.15 along with SPP policies DM D2 and DM EP2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light (sunlight and daylight), quality of living conditions, privacy, visual intrusion and noise.

7.15 The monopole is located within a secluded location, away from the majority of surrounding properties, with the closest dwelling being no.1 Blenheim Close. This property is situated to the south-east of the site, being set back from the street and with a separation of approximately 16m. There are north facing windows to the front elevation of this property which could have views towards the proposed monopole, however, given its siting to the east, the views would fall out of a 45 degree angle from the closest window and would therefore not be readily apparent. As such it is not considered there would be a materially harmful impact to this neighbours amenity from the proposed monopole.

7.16 Properties along Blenheim Road to the north would also have views towards the proposal from their rear south facing windows. The rear gardens of these properties are particularly long, resulting in separations of 37m and 35m to numbers 8 and 10 respectively. Whilst it is acknowledged that the proposed pole would be significantly higher and somewhat wider, given its separation and slim, vertical design, it is considered that the proposal would not result in a materially harmful impact to this neighbours amenity in terms of visual intrusion or loss of light.

- 7.17 Similarly, numbers 14, 15 & 16 Meadowview Road would have direct views toward the proposed monopole, however, these properties also benefit from a separation of approximately 45m. As such, it is considered there would not be a materially harmful impact to these neighbours' amenities.
- 7.18 With regards to a potential increase in noise pollution from the equipment, LBM Environmental Health Officers were consulted on this element, and raised no concerns to the proposal. As such, it is not considered there would be a materially harmful impact to neighbouring amenity with regard to noise.

Health & Radiation

- 7.19 Whilst the site is located in a residential area, the mobile phone operators are required as part of their central government licence to improve coverage across the whole country and this includes providing sufficient equipment in densely populated residential areas where demand is greatest.
- 7.20 Government guidance to local planning authorities states that where an application includes a certificate of conformity with the ICNIRP guidelines relating to the development, it should not be necessary to consider health impacts further. The NPPF 2019 (paragraph 116) further explains that Local Planning Authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.
- 7.21 The application is accompanied by an ICNIRP certificate showing full compliance with the above mentioned public exposure guidelines as per the requirement of the NPPF. It is therefore not considered the proposal would impact upon the health of neighbouring residents.

Transport, highway network, parking and sustainable travel

- 7.22 London Plan policies 6.3 and 6.12, CS policies CS18 and CS20 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management.
- 7.23 The LBM Transport Planner has reviewed this application and their comments are integrated into the assessment below.
- 7.24 The section of pavement on which the proposal would be located is intersected by the corner of the adjoining adjacent space, resulting in the foot way width tapering to the boundary and vehicle crossover of no. 1 Blenheim Close to the east. As such, there is no formal pedestrian access along the site. It is therefore considered the introduction of additional cabinets or replacement monopole in this section would not negatively impact its use. Furthermore, due to the configuration of the street, the proposal would not result in reduced visibility or increased risk of motorist collision.

- 7.25 Responses to objections

The majority of the issues raised by objectors are addressed in the body of the report but in addition the following response is provided:

- Devaluation of properties is not a material planning consideration
- Pre-consultation with local Councillors is not a planning requirement but rather good practise.
- The proposed mast will have to meet the Building Regulations regarding its structural integrity to ensure that it is safely constructed

8. CONCLUSION

8.1 The principle of development is supported by National policy objectives, and the location of telecommunication equipment has been established in this instance. The proposal is supported by the relevant and required documentation to ensure that the location is appropriate and the development meets public exposure guidelines to safeguard health of neighbouring residents. It is considered the proposal would not detract from the character and appearance of the area as to warrant refusal and the proposal is not considered to materially impact upon neighbouring amenity or highway safety.

8.2 The proposal is considered to accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is considered that there are no other material considerations which would warrant a refusal of the application.

RECOMMENDATION

Grant planning permission subject to the following conditions:

Conditions:

1) Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2) Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

Reason: For the avoidance of doubt and in the interests of proper planning.

3) Amended standard condition [Materials]: The facing materials to be used for the development hereby permitted shall be those specified in the approved documents unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DMD2 and DMD3 of Merton's Sites and Policies Plan 2014.

- 4) Standard condition [Timing of construction]: No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policy DM EP2 of Merton's Sites and Polices Plan 2014.

Informatives:

- 1) **INFORMATIVE**
In accordance with paragraph 38 of the National Planning Policy Framework 2018, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.
- 2) **INFORMATIVE**
You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
- 3) **INFORMATIVE**
Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

[Click Here](#) for full plans and documents related to this application