

Committee Application

Development Management Report	
Application ID: LA04/2019/2132/F	Date of Committee: Thursday 23 January 2020
Proposal: 17.5m telecommunications column, with 6no. antenna (3No. enclosed within a shroud, 3No. not enclosed). proposal includes the provision of 4No. new equipment cabinets and associated ground works.	Location: On lands approximately 110m North West of No. 518 Lisburn Road Belfast BT9 6GX.
Referral Route: Elected Member Request	
Recommendation: Refusal	
Applicant Name and Address: Telefonica Uk Limited & Cornerstone 260 Bath Road Slough SL1 4DX	Agent Name and Address: Taylor Patterson 9a Clare Lane Cookstown BT80 8RJ
<p>Executive Summary:</p> <p>The proposal is for a 17.5m telecommunications column, with 6 antennae (3 enclosed with a shroud, 3 not enclosed). The proposal also includes the provision of 4 new equipment cabinets and associated ground works.</p> <p>The key considerations for this proposal are:</p> <ul style="list-style-type: none"> • Impact on visual amenity and the local environment • Impact on residential amenity • Government support for provision of full and up to date telecommunications coverage <p>18 objections have been received from local residents and one on behalf of local constituents from Councillor McAteer. The issues raised include:</p> <p>Proposal will have an impact on:</p> <ul style="list-style-type: none"> • The visual amenity and character of the area; on environmentally sensitive features; will create a cluttered and unattractive pedestrian environment; impact on pedestrian safety. • Land Ownership • Health Concerns • Private Views • Property Prices <p>The developer has submitted supporting information explaining that a new site is required for densification reasons in order to address 4G capacity and congestion due to higher traffic volumes in the immediate area. Supporting information states that where possible existing sites are shared, however in this instance this is not an option as the only nearby site is working to optimum level and unable to provide a suitable degree of coverage for local users. Supporting information also advises that five other sites were considered however, the statement fails to fully set out alternative investigations, their feasibility and environmental impact.</p> <p>Telecommunications development proposals should be facilitated in an efficient and effective manner. Modern telecommunications are an essential and beneficial element of everyday living for the people and visitors to this region. It is important to continue to support investment in high</p>	

quality communications infrastructure which plays a vital role in our social and economic well-being. Whilst it is acknowledged that there is government support for improvements for telecommunications, this needs to be balanced against policy and must not be to the detriment of residential and visual amenity.

It is considered that the telecommunications mast and equipment cabinets at this location will result in unacceptable damage to the visual amenity of the local area and the development has not been sited in order to minimise environmental impact. In addition, there will be a cumulative impact from the number of pieces of equipment proposed, exacerbating the visual impact. The proposed development will also result in a cluttered and unattractive pedestrian environment.

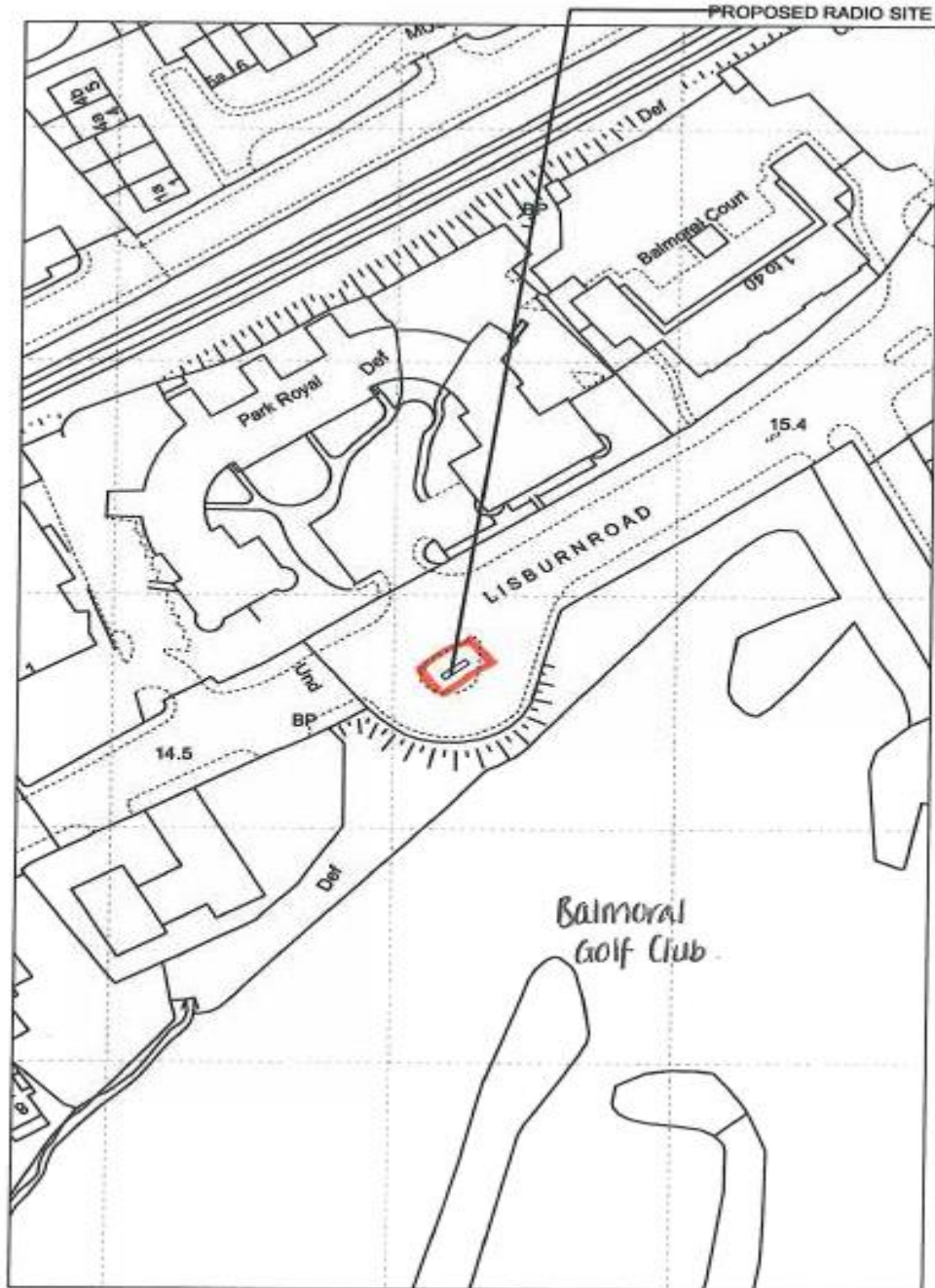
Refusal is recommended for the following reasons

- The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications in that the proposal, if approved, will result in unacceptable damage to visual and residential amenity in this location by way of its height, location, prominence and resulting clutter.
- The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications as the applicant has failed to demonstrate that the proposal has been sited and designed to minimise visual and environmental impact.

Delegated authority is requested to the Director of Planning and Building Control to finalise the wording of refusal reasons.

Case Officer Report

Site Location Plan



SITE LOCATION PLAN - 1:1250

Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 The proposal is for a 17.5m telecommunications column, with 6 no antennae (3 no enclosed with a shroud, 3 no not enclosed). The proposal also includes the provision of 4no new equipment cabinets and associated ground works.

2.0 Description of Site

2.1	The application site is located on land approximately 110m North West of no 518 Lisburn Road. The site forms part of a small turning circle / lay-by. There is a small section of footpath located within the middle of the layby with a lighting column.	
2.2	The area is characterised by a variety of residential properties to the north, north east and north west of the site, business properties such as Creighton's petrol station to the south west and Balmoral Golf Club to the south of the site.	
Planning Assessment of Policy and other Material Considerations		
3.0	Site History	
3.1	There is no planning history on this specific site.	
4.0	Policy Framework	
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (dBMAP)	
	4.1.1	White land - BUAP
	4.1.2	Whiteland – dBMAP; adjacent to LLPA
4.2	Strategic Planning Policy Statement (SPPS) PPS 10 Telecommunications DCAN 14 Siting and Design of Radio Telecommunications Equipment	
5.0	Statutory Consultees Responses	
5.1	DFI Roads – No objection, subject to condition	
5.2	Belfast City Airport – No objection	
5.3	Historic Environment Division – No Objection	
6.0	Non Statutory Consultees Responses	
6.1	Arqiva Services Ltd – No objection	
6.2	Hutchison 3G Ltd – No objection	
6.3	British Telecom Radio Network Connection – No objection	
6.4	Eircom UK Ltd – No objection	
6.5	Ofcom Northern Ireland – No objection	
6.6	Vodafone (Cable and Wireless) – No objection	
7.0	Representations	
7.1	19 objections has been received.	
7.2	The issues raised include: <ul style="list-style-type: none"> • Proposal will have an impact on the visual amenity and character of the area. • Proposal will have an impact on environmentally sensitive features. 	

	<ul style="list-style-type: none"> • Proposal will create a cluttered and unattractive pedestrian environment. • Proposal will impact on pedestrian safety • Health Concerns • Land Ownership (Balmoral Golf Club) • Private Views • Property Prices <p>The first five bullet points are material planning matters which are addressed through this report. With respect to land ownership, the applicant has filled in a Certificate of Ownership and served the appropriate notice on Department for Infrastructure.</p>
8.0	Assessment
8.1	<p><u>Development Plan</u> Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The application site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.</p>
8.2	<p>The site is located within the existing development limits as designated within both the BUAP and dBMAP. The site is also located adjacent to Balmoral Golf Club, which is an existing open space and a Local Landscape Policy Area.</p>
8.3	<p><u>Principle of Development</u> The proposed development falls to be considered under Planning Policy Statement 10 Telecommunications and the SPPS. The objectives for telecommunications set out in the SPPS replicates operational planning policy in PPS10 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.</p>
8.4	<p>The proposal does not comply with Policy TEL 1 in that the developer has not fully demonstrated that the proposals have been sited and designed to minimise visual impact and it has not been demonstrated that the new mast represents a better environment solution than other options. The new location for the telecommunications mast is in a location close to a residential development that will have prominent views of the site from their homes, it is in a prominent position in the middle of a lay by and is of a height and width which make it incongruous in the street scene.</p>
8.5	<p><u>SPPS</u> The objectives of the SPPS are to ensure that where appropriate new telecommunication equipment is accommodated by mast and site sharing, to ensure the visual and environmental impact is kept to a minimum, to minimise undue interference that may be caused to radio spectrum users and encourage appropriate provision for telecommunications systems in the design of other forms of development.</p>
8.6	<p>Para 4.15 of the SPPS states that Planning authorities should utilise development planning, regeneration and development management powers to contribute to the creation of an</p>

	<p>environment that is accessible to all and enhances opportunities for shared communities; has a high standard of connectivity and supports shared use of public realm.</p> <p>8.7 <u>Visual Impact, Character of Area and Environmentally Sensitive Features</u> The application includes the introduction of 5 no. additional standalone pieces of telecommunications equipment alongside the existing streetlight. The telecommunications column measures 17.5m in height with a total of 6 no antennae attached, 3 no antennae will be enclosed with a shroud and 3 no antennae will be visible. In addition to the new column there will be 4 no. new equipment cabinets. The column and cabinets will be placed on concrete bases.</p> <p>The 4 separate equipment cabinets are situated across a distance of approximately 6.9 metres within the centre of a circular layby measuring approximately 13 metres. This results in more than half of the existing vacant layby taken up by infrastructure. The equipment is located in the centre of a turning circle which is set forward from the trees and railings located on the boundary of the grounds of Balmoral Golf Club. This position on the small central footpath of the circle results in the equipment appearing dominant and highly visible; and will result in unacceptable damage to residential and visual amenity and harm to the location, mainly Park Royal residential area and Balmoral Golf Club Local Landscape Policy Area. The outlook from Park Royal will be prejudiced by the introduction of visually intrusive telecommunications infrastructure.</p> <p>8.8 The proposal is contrary to Policy Tel 1 and paras 6.3 and 6.4 of PPS10 in that the proposal fails to show what measures have been considered to minimise visual and environmental impact. The siting of the mast on the small central footpath of the layby is unacceptable and will result in unacceptable impact on residential and visual amenity. The masts width and height are far in excess of the adjacent lamppost and when read with that and all associated ancillary equipment will create unacceptable visual clutter which does not integrate with surroundings but sits in a prominent position without any immediate backdrop across from residential properties and in front of a LLPA.</p> <p>8.9 <u>Mast / Site Sharing</u> As detailed in Development Control Advice Note 14- Siting and Design of Radio Telecommunication Equipment- all telecommunications equipment, including the siting of masts, equipment housing, access tracks and power supplies should be planned to avoid adverse impact on sensitive features and locations.</p> <p>8.10 The developer has submitted supporting information explaining that a new site is required for densification reasons in order to address 4G capacity and congestion due to higher traffic volumes in the immediate area. Supporting information states that where possible existing sites are shared, however in this instance this is not an option as the only nearby site is working to optimum level and unable to provide a suitable degree of coverage for local users. The existing site that covers the area is located at Lislea Drive which is currently in a more commercial area and preferable to the prominent roadside site being brought forward.</p> <p>8.11 Five other sites were considered, 2 of which are already beyond the search area; it was submitted that one would fail to give adequate coverage (however no explanation was given as to why); one is a redevelopment site and another is discounted due to proximity to an existing telecoms site at Boucher Road. No information is presented as to the location of both the existing and alternative sites and distances between each comparative to distances between the proposed site and existing masts.</p> <p>8.12 Policy TEL 1 of PPS 10 provides the policy tests for 'Control of Telecommunications Development'. Telecommunications development should not result in unacceptable</p>
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	<p>damage to visual amenity or harm to environmentally sensitive features or locations. The current proposal does not comply with the policy tests of TEL 1 due to the unacceptable damage to visual amenity. Furthermore it is not considered that supporting information fully sets out alternative investigations and their feasibility. Whilst it is submitted that the existing mast at Lislea is working to optimum level there is no indication as to the ability of the existing site at Lislea to be upgraded with a new mast or to share the site with a second mast.</p>
8.13	<p><u>Pedestrian Safety</u> In terms of pedestrian safety Dfi Road was consulted regarding the proposal and offered no objection to the proposal subject to the following condition <i>'the proposal shall be erected in the positions shown on Drawings No 02, reason: in the interest in road safety and the convenience of road users'</i>.</p>
8.14	<p><u>Impact on Health</u> Policy TEL1 (3) requires that base stations associated with telecommunications development, when operational, will meet the ICNIRP guidelines for public exposure to electromagnetic fields. Supplementary documentation has been provided that demonstrates that the proposal is in full compliance with the requirements of the Radio Frequency Public exposure Guidelines of the International Commission on Non-Ionising Radiation (ICNIRP).</p>
8.15	<p>Therefore, the applications conforms to Policy TEL 1 (3) of PPS10 regarding public exposure to electromagnetic fields.</p>
9.0	Summary of Recommendation
9.1	<p>Telecommunications development proposals should be facilitated in an efficient and effective manner. Modern telecommunications are an essential and beneficial element of everyday living for the people 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 well-being. Whilst it is acknowledged that there is government support for improvements for telecommunications, this needs to be balanced against policy and must not be to the detriment of residential and visual amenity.</p>
9.2	<p>It is considered that the cumulative impact of the proposed development, in addition to the existing infrastructure, will result in detrimental visual impact. The proposed development will also result in a cluttered and unattractive pedestrian environment, thereby impacting detrimentally on the local environment.</p>
9.3	<p>It is considered that the telecommunications mast and 4 equipment cabinets at this location will result in unacceptable damage to visual amenity of the local area and the mast and its associated equipment have not been sited to minimise environmental impact.</p>
10.0	Refusal Reasons
10.1	<p>The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications in that the proposal, if approved, will result in unacceptable damage to visual and residential amenity in this location by way of its height, location, prominence and resulting clutter.</p>
10.2	<p>The proposal is considered contrary to the SPPS and Policy TEL 1 of PPS 10: Telecommunications as the applicant has failed to demonstrate that the proposal has been sited and designed to minimise visual and environmental impact.</p>

ANNEX	
Date Valid	29th August 2019
Date First Advertised	27th September 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses) 126 neighbours notified. 178, Ormeau Road, Belfast, Ormeau, Antrim, Northern Ireland, BT7 2ED	
Date of Last Neighbour Notification	09/10/2019
Date of EIA Determination	n/a
ES Requested	No
Drawing Numbers and Title Drawing No. 01 Type: Location Plan Drawing No. 02 Type: Site Plan Drawing No. 03 Type: Site Elevations Drawing No. 04 Type: Planning Photomontage	
Notification to Department (if relevant) Date of Notification to Department: n/a Response of Department:	
Representations from Elected members: Councillor Geraldine McAteer South Belfast Sinn Fein	