Design, Access & Supporting Statement

DEVELOPMENT SERVICES
18 MAR 2009
RECEIVED

Site Details

Cell Number	LE0030		
Site Name	Little Markfield Farm		
Site Address	Little Markfield Farm Forest Road Markfield LE67 9UN		
Easting	448406	Northing	309882
Site Type	28 metre temporary telecommunications mast		

General Introduction

This statement forms part of an application for full planning permission on behalf of Hutchison 3G UK Limited. It has been prepared in accordance with the requirements of Section 42 of the Planning and Compulsory Purchase Act 2004 which requires the submission of a Design and Access Statement to accompany planning applications. The application relates to the temporary planning consent for the retention of a radio base station comprising of a 28 metre high temporary telecommunications mast and associated development at Land at Little Markfield Farm, Forest Road, Markfield, LE67 9UN. This installation is required to provide continued coverage to the Markfield area and a section of the M1 motorway for a further 6 month period following the expiry of the emergency powers period on 20th July 2009 whilst a permanent solution is secured and brought into operation. Evidence regarding the need for the installation by way of radio coverage plots is also provided.

Legal Obligation to Provide a Service

Hutchison 3G UK (H3G) is the operator of an electronic communications network. H3G complies with the Electronic Communications Code as enacted under the Communications Act 2003, which provides the necessary legislative basis to run an electronic communications network. As an electronic communications network operator, H3G has the benefit of Permitted Development rights under Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended). H3G's Spectrum Licence as granted by the Radiocommunications Agency contains a condition that H3G must provide coverage to 80% of the population.

Compliance with Other Regulations

'Please accept this letter and its enclosures as a notification in accordance with regulation 5 of The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 as required by the Communications Act 2003. No fee is required for this notification. Hutchison 3G UK is obliged, under regulation 6(2) to give one calendar month's notice, in writing, to the planning authority of its intention to install electronic communications apparatus. The apparatus to be installed consists of a 28 metre high temporary telecommunications mast and associated development. The apparatus will be installed at Land at Little Markfield Farm, Forest Road, Markfield, LE67 9UN.'

Site Requirement and Radio Coverage Objective

The retention of the development at this location is of high importance to H3G as the proposals provide coverage to a significant area in the H3G infrastructure for Markfield and a section of the M1 motorway. Essentially the proposal provides service to a significant section of the residential and commercial areas of Markfield as well as the adjacent M1 motorway. In addition the development will also combine with coverage from existing and planned H3G base stations in the surrounding area to provide contiguous service.

Appendix A of this statement contains a coverage simulation diagram illustrating the operational affect of the proposal on the surrounding area.

The proposed structure is 28 metres in height. The requirement of the existing H3G mast is to provide full coverage to the surrounding area. H3G require a height of 28 metres for this installation to ensure full coverage is provided to this large area.

Pre-work Check

Was the mast register of the authority responsible for planning used to check for suitable sites by the operator or the authority?		No
if no explain why – not available		
Was the industry site database checked for suitable sites by the operator?	Yes	
if no explain why		

Annual Rollout Consultation with LPA

Date of last annual rollout information/ submission	23 October 2008
Name of contact	Planning Department
Progressing a number of sites in the Borough at present	

Statutory Influences on and Around Considered Sites

When conducting the site search and assessment of sites the implications of conservation and other designations on each site are taken into account when selecting the site. Those of particular concern are development plan policies; land use designation; relevant supplementary planning guidance; conservation areas, listed buildings, tree preservation orders, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, areas of archaeological importance, scheduled monuments, contamination, Green Belts, National Parks, areas of special advertisement control, Article 4 directions, public rights of way, and so on. Where these designations are applicable information relevant information is referred to in the following sections: 'List of Sites' and the 'Description of the Proposal Site and It's Surrounding Context.'

Site History

This area of Leicestershire has up to now been covered by a H3G installation located at Land to the rear of Denbar Lodge, off Hill Lane, Markfield, LE67 9UP. This installation has recently been decommissioned. In this regard the landowners of Little Markfield Farm are able to relocate H3G's equipment onto land at their site. This installation will be accommodated here for a temporary period whilst a permanent installation is brought into operation.

With regard to Hutchison 3G's permanent solution for this area H3G are actively progressing proposals to install their required antennas and additional equipment onto the existing Orange PCS Ltd telecommunications mast at Land to the rear of Denbar Lodge, off Hill Lane, Markfield, LE67 9UP (E:448545, N:310161). H3G have now made an application to Orange to share this existing mast and it is expected that H3G will be able to mount their antennas to the existing mast without any need to redevelop the mast. It is expected that this can be completed under permitted development rights granted to H3G under Part 24 of the GPDO 1995. Orange appoint a separate agent to take care of any town planning and acquisition works required with these proposals and it is expected that they will contact your planning department to discuss / notify you of these proposals in more detail.

It is presently forecast that these mast sharing proposals will be completed by September 2009. This allows time for any legal agreements, planning requirements, construction works and integration into H3G's national network to be completed.

In this regard this application seeks to retain the existing temporary mast at Little Markfield Farm for a period of 6 months after the emergency powers period expires on 20th July 2009. This will ensure plenty of time is available should any issues arise during the construction works and integration into H3G's national network.

Proposed Apparatus and Alternative Design Solutions

The description of development is:

Description of Development	
The retention of a radio base station comprising of a 28 metre high temporary telecommunications mast and associated development	
Height to top of installation	28 metres
Height of existing building (where applicable)	n/a metres

Radio Equipment Housing	
Length	4.5m
Width	2.5m
Height	3.758m
Materials	Steel
External colour	Grey

Compound	
Dimensions	12m x 12m
Materials	Herras temporary fencing
External colour	Grey

Support Structure	
Materials	Galvanised Steel
External colour	Grey

It has been established that there is a continued requirement for a telecommunications installation in the Markfield area to provide coverage to the LE0030 'cell area' whilst a permanent solution is secured and brought into operation. This coverage can be met at this time from the Land at Little Markfield Farm site.

Access

Radio base stations are not designed to be accessible by the public. Therefore no specific public access provisions are required to be incorporated into the design of the proposal. For maintenance the equipment cabinet can be reached by a H3G employee from ground level. Should the upper sections of the mast (antennas) need to be reached then a hydraulic platform vehicle, often referred to as a 'cherry picker', will be parked alongside the mast. The vehicle will then be used to access the antennas.

Reason for Selecting the Proposal Site and Proposed Design

It is considered that the design of the proposed installation does not an adverse impact upon the surrounding environment given the non-traditional structure used. The mast is a slimline structure without the usual bulky appearance of a more substantial lattice mast. Views to the higher level of the structure will not be adversely affected as the applicant has been able to locate the antennae around the top of the structure rather than on a traditional 'head-frame', minimising the impact of the antennae upon visual amenity. Furthermore, the site location outside of the urban area ensures the development is situated away from sensitive land uses.

Planning Policy and Material Considerations

Government Policy

National guidance contained within planning policy guidance notes and Governmental circulars have been determined to be material considerations in determining planning appeals. In this instance, it is our opinion that the following advice is material:

PPG 8 – Telecommunications (2001)

PPG8 'Telecommunications is the national planning document offering guidance to local authorities in the formulation of local plan policy and evaluation of telecommunications developments.

Overall aim of PPG8 is to allow for the growth of new and existing telecommunications networks in conjunction with environmental considerations. Paragraph 1 of PPG8 emphasises the Governments' generally positive approach to telecommunications: -

> *"The Government's policy is to facilitate the growth of new and existing telecommunications systems whilst keeping the environmental impact to a minimum. The Government also has a responsibility for protecting public health." PARA 1, PPG8, 22 August 2001*

> *"The aim of telecommunications policy is to ensure that people have a choice as to who provides their telecommunication service, a wider range of services from which to choose and equitable access to the latest technologies". PARA 2, PPG8, 22 August 2001*

PPG8 acknowledges the commercial pressures placed of mobile telecommunications systems and that basis of demand for such services, confirming that: -

"These systems are demand-led. Increase in the use of mobile phones has meant that operators are continually expanding their networks to accommodate customer requirements of service and quality. The greatest need for base station sites is usually in built-up areas where there is the greatest density of mobile users, and within a mile or two of the main roads, where the demands on network capacity are greatest." PARA 22, PPG8, 22 August 2001

With reference design PPG8 confirms that operators should be innovative in their design solutions and should attempt to find solutions that minimise potential amenity and intrusion issues, stating that: -

"The telecommunications industry is encouraged to continue to develop innovative design solutions, in terms not only of the structure of masts and antennas but also the materials and colouring. A number of different design solutions are currently available. These include masts designed to look like trees or street furniture, and the redevelopment or restoration of existing properties to incorporate telecommunications apparatus. Authorities may wish to discuss with operators different design and camouflage options in connection with development proposals. Operators are encouraged to provide examples of different design solutions. It should be borne in mind that some designs may not be suitable for future sharing. Where it is agreed that a site is suitable for future mast sharing, it may be appropriate to install a mast specifically designed to facilitate its redevelopment for sharing." Para 77, PPG8, August 2001

In this regard our client has utilised a slimline temporary design that can be easily integrated into the surrounding landscape and is designed to differ from traditional bulky telecommunications installations.

Health Considerations

Recent court cases have confirmed that the *public perception* of health risks can be a material consideration within the land-use planning system. The weight to be attached to this issue has to be determined accordingly in each case by the decision maker. It has been generally held, and widely established at planning appeal, that health concerns are not a sufficient basis alone for withholding planning permission providing it has been demonstrated that the proposed installation will comply with the ICNIRP guidelines.

The most recent government advice regarding mobile telephone technology and health issues is outlined within the revised PPG8 (2001) which states:

Para 98 "...it is the Government's firm view that the planning system is not the appropriate mechanism for determining health safeguards. It remains central government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed development meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."

In response to the recommendations of the report entitled 'Mobile Phones and Health' (2000) prepared by the 'Independent Expert Group on Mobile Phones' (IEGMP) and PPG8 (August 2001) T Mobile has confirmed that all base stations, will meet ICNIRP public exposure guidelines as recommended by the IEGMP. The proposed telecommunications apparatus that is subject of this application is designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP), as expressed in the EU Council recommendation of 12 July 1999 "on the limitation of exposure to the general public to electromagnetic fields (0 Hz to 300 GHz).

The AGNIR report (14 January 2004), the post Stewart review of scientific research into mobile phones, base stations and health, is the most up to date piece of research into this issue. The report is based on a review of all of all of the scientific research into mobile phone safety published over the three years since the Stewart report and it's findings confirms the findings of the Stewart report which concluded that the balance of evidence suggests that mobile phone technologies do not cause adverse health effects. The AGNIR report found that the weight of scientific evidence now available does not suggest that there are adverse health effects from RF fields below guideline levels and concluded that:

"Exposure levels from living near mobile phone base stations are extremely low, and the overall evidence indicates that they are unlikely to pose a risk to human health". (pg 148, AGNIR Report, January 2004)

In this instance, we believe that it is not necessary to consider health effects further as recommended by PPG8. H3G is committed to ensuring that all new installations are ICNIRP compliant, and on this basis, it is considered that there is no basis for this application to be refused on health and safety grounds. An ICNIRP compliance certificate has been prepared and is submitted as a part of this application (see appendix B).

Other Issues

Should your department considered the use of impact mitigation measures necessary such as the implementation of landscaping around the structure or colouring of the equipment our client would be open to your departments recommendations.

Summary

To summarise the case in favour of the proposals the following points are of relevance:

- With specific regard to telecommunications development the applicant considers that the proposal accords fully with PPG8 and the Code of Best Practice;
- H3G's site selection strategy is to keep the overall environmental impact to a minimum through the use of site shares wherever possible. Site sharing is progressed where it is technically and legally possible and the preferred environmental solution. With regards to this cell, every attempt has been made to accommodate H3G equipment on existing facilities, however no suitable masts were identified within the required coverage area;
- The application proposals are required for a temporary period only and this is reflected in their temporary appearance;
- It is of note that the height of the mast (at 28 metres to the top) has been kept to the absolute operational minimum to clear the immediate buildings and provide adequate coverage to the LE0030 area.
- With regard to design, the choice of slimline mast was specifically chosen to minimise the visual impact of the development upon the visual amenities of the area;
- The significance of the development is a material consideration and this site is required in order to contribute towards the obligation to provide coverage to 80% of the population.

Other matters

We look forward to receiving your comments on the site that has been identified and the proposed design solution. We would like to take this opportunity to extend an invitation to have a meeting to discuss the proposal, possibly on site, so that the area surrounding the proposal can be viewed. In some circumstances it may be appropriate or desirable to conduct an on site visual demonstration of the proposed installation or a tour of the options that have been considered. If this is of interest please contact us to discuss arrangements.

HUTCHISON 3G UK LTD – LE0030
APPENDIX A – COVERAGE INFORMATION

Appendix A contains a coverage simulation diagram illustrating the operational affect of the proposal on the surrounding area.

Essentially, an antenna height of 28 metres is required at this location in order to enable H3G to avoid obstacles to coverage and reach the LE0030 'cell area'.

The existing development combines with coverage from existing and planned H3G base stations to provide contiguous service in accordance with the terms of the operating licence granted to H3G by the Secretary of State.

Coverage plots have been requested from our client and will be forwarded to your department once received.

HUTCHISON 3G UK LTD – LE0030
APPENDIX B – HEALTH & SAFETY

Appendix B contains the ICNIRP Certificate and Emissions profile relating to the proposals.

As indicated in the supporting statement national planning policy guidance note PPG8 offers advice to Local Planning Authorities in the determination of telecommunications proposals and the formulation of local plan policies. With reference to health and safety issues PPG8 confirms that the recommendations of the Stewart Report (Published in May 2000) should be adopted in the evaluation of telecommunications developments.

In relation to the increased public perception of risk PPG8 offers the following guidance:

> *"However, it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them." Paragraph 30, PPG8, DTLR*