

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 18 November 2009

Page

APPLICATION REF. NO:	09/00688/FUL
STATUTORY DECISION DATE:	2 December 2009
WARD/PARISH:	NORTHGATE
LOCATION:	County Durham And Darlington NHS Foundation Trust Darlington Memorial Hospital Hollyhurst Road
DESCRIPTION:	Installation of replacement telecommunications and associated apparatus on existing tower block
APPLICANT:	County Durham And Darlington NHS Foundation Trust

APPLICATION AND SITE DESCRIPTION

The application site contains the hospital and associated buildings. It is bounded to the west by Hollyhurst Road; by Woodland Road/Elms Road and West Crescent to the south; east by Greenbank Road and north by Reid Street and Reid Street Primary School. The site is covered in part by two tree preservation orders dated 1952 and 2007.

Prior to the commencement of the new energy centre and plant room (see Planning History), the existing communication antennae and dishes on the existing plant room and Tower Block have to be relocated in order for the hospital to maintain its internal and external communication requirements. There are currently ten antennae and dishes on the building and this application has been submitted to decrease the total number of antennae and dishes to five and to relocate them on the Tower Block building. To ensure that the apparatus can be accessed for routine maintenance, the proposal also involves the erection of an access ladder and guardrail to the lower and upper roofs.

PLANNING HISTORY

The application has a long planning history and the most recent are listed below:

08/00971/FUL - In February 2009 planning permission was GRANTED for an energy centre, roof top plant room, new electricity substation, gas governor houses and additional car parking at the Marrion Centre

09/00374/FUL In July 2009 planning permission was GRANTED for Alterations to approved tower block rooftop plant room, ducting to the ward block plant room and across the podium building together with replacement of windows to the HD and IT units

PLANNING POLICY BACKGROUND

The following policies within the Borough of Darlington Local Plan are relevant:

- E16 – Appearance from Main Travel Routes
- E52 – New Masts
- E53 – Satellite Antennae

National Planning policy is contained within Planning Policy Guidance Note 8 – Telecommunications.

RESULTS OF CONSULTATION AND PUBLICITY

Two letters of objection have been received raising the following issues:

- *The Health implications regarding the exposure to EMF (electromagnetic fields) and Radiation which is generated by antenna's and satellite dishes. At present the medical world are split in their findings regarding the health effects and safe working levels of radiation to which a human should on a regular basis be exposed too, with some experts stating that exposure on a regular basis is 'more dangerous than smoking'. Could you tell me who will be liable in years to come if it is found that the residents in close approximately to the Darlington Memorial Hospital have been exposed to higher (than safe) levels of emissions due to this planning application being granted?*
- *Any items sited on the Darlington Memorial Hospital which overlook my property and need to be maintained will cause more intrusions on our privacy when workmen are gazing down into our garden. We have already lost the enjoyment of our garden for a minimum of a year whilst the monstrosity of the new plant room is being built.*
- *The proposed positioning of the antennas and dishes on the south corner of the tower block, are south-west of my rear garden and I feel that they will cast a shadow into my rear garden, and stop the 'enjoyment' of relaxing in my garden.*
- *At present we do suffer from higher than average interference on our televisions and radio's, any alterations could increase this.*
- *I believe that the installing of these telecommunications will have a detrimental effect on the view of the skyline, from any side, but mostly the view enjoyed from my own property (No 44 West Crescent)*
- *I believe any further increases in height to the roof of the hospital buildings will cause overshadowing to my property and garden and also to the properties and gardens of Greenbank Road.*
- *As with technology I believe that in the not too distant future the DMH will apply for further permissions to add to the 5 antennas/ dishes they presently wish to install, causing more of a nuisance. These units will need maintaining and the residents will have to endure being overlooked further by engineers repairing, maintaining and modifying these units.*
- *We may not be aware at the moment that these antennas/ dishes may be bad for our health, omitting levels of radiation harmful to us. No one knows for sure what harm they*

can be doing to the environment and us, the residents nearby. It was only 50 years or so ago when asbestos was deemed safe and commonly used in building works. Now, fortunately, it has been exiled from the workplace and specialist firms are needed to be employed to remove it.

- *Can the council guarantee that the health of myself, my family and other nearby residents won't be effected due to the installation of the telecommunications, as mentioned in the above application?*
- *Has the George Dent nursery been considered in relation to the above the plans, as per guidelines in the planning policy guidance 8 (PPG8) and has guidance been taken from the Stewart Report??*
- *I believe that the installing of these antennas/ dishes may have an adverse effect on my own TV and radio receptions, increasing the amounts of interference currently present.*
- *If they have to be fitted, used, I believe re siting all of the proposed antennas and dishes to the front of the hospital (Hollyhurst Road) as they would not be in the view of residents of West Crescent, Greenbank Road and Elms Road. The residents of Hollyhurst Road are far enough away not to notice these as there is a large car park in-between them and the hospital. Another benefit to the re siting of the telecommunications is that when they are being repaired, improved, modified, the engineers doing this won't be overlooking the residents nearby.*

The **Council's Environmental Health Officer** has been consulted in the application and he has commented as follows "*The application includes a Declaration of Conformity with the ICNIRP public exposure guidelines, therefore I do not have any objections regarding this issue. Such telecommunications equipment normally has associated equipment cabinets. These cabinets normally contain cooling fans, which can produce noise emissions. As the proposed locations are fairly close to housing, I would suggest that you ask the applicant to confirm whether there are any fans associated with this application. If so, information on noise levels should be submitted together with evidence to show that noise will not adversely affect any residential premises.*"

PLANNING ISSUES

The main issues to be considered here is whether or not the proposed development is acceptable in the following terms:

- Planning Policy
- Need for the Apparatus
- Visual Appearance and Character of the Area
- Health
- Residential Amenity

Planning Policy

Planning Policy Guidance Note 8 – Telecommunications states that Government policy is to facilitate the growth of new and existing telecommunication systems whilst keeping the environmental impact to a minimum. The PPG offers guidance on the issues, which can be given consideration for this form of development.

Policy E52 (New Masts) of the Borough of Darlington Local Plan states that proposals for new masts or other structures for telecommunications equipment will be considered having regard to

the special siting, technical and operational requirements of the equipment, the significance of the proposal as part of a national network and the need to minimise visual intrusion and damage. Policy E53 (Satellite Antennae) states that planning permission would be granted for satellite antennae on buildings provided that the siting and design of the antennae and their impact on the amenity of neighbouring buildings are considered acceptable.

As the Tower Block building is a prominent feature in the locality, E16 (Appearance from Main Travel Routes) of the Plan is relevant. This general policy requires development to respect its setting; to respect the character of existing buildings and to improve unsightly land and buildings

Need for the Apparatus

The proposed telecommunications equipment is needed to provide internal telecommunications links for medical staff; television and radio facilities for patients, radio links between inbound ambulances and the coronary care unit and internal and external data communications.

Visual Appearance

The existing Tower Block Plant Room hosts ten antenna/dishes, which include

- Three Cable and Wireless Dishes and One antenna
- Two Paging System Antenna
- Two staff Paging System Antenna
- 1 Patientline antenna and dish
- 1 Television Aerial

The location of the existing antenna is dictated by their operational requirements, the need to avoid urban clutter. An evaluation process associated with the recent infrastructure upgrades at the hospital has confirmed that the number of antenna and dishes needed to meet current operational requirements can be reduced from the existing ten to five. This is as a result of technological improvements and the replacement of redundant apparatus.

The proposal involves the relocation of the required apparatus from the existing plant room to the two service rooms at the south east and south west corners of the Tower Block. The south eastern service room will house the paging system antenna, two Cable & Wireless microwave dishes on a single mast and the replacement "Patientline" television dish and antenna. The south western elevation will accommodate the coronary care unit antennae and the television antenna. To ensure that the Cable and Wireless and Patientline apparatus can be accessed for routine maintenance, the proposal also involves the erection of an access ladder and guardrail to the lower and upper roofs.

The main views of the south east and south west corners of the Tower Block are from Elms Road and West Crescent. The existing plant room and a number of the telecommunications equipment can also be seen from these viewpoints. The equipment, once relocated, will be more visually apparent as they would be situated on the corners of the Tower Block, but they do need to be assessed against the proposed back drop of the plant room and energy centre, once they have been built as part of the 2008 and 2009 approvals.

The three new pieces of equipment on the south east corner, when viewed from Elms Road, would not be visually intrusive as they would assimilate into the backdrop of the extended plant room. The two antennas on the south west corner would be more visible on the skyline when

viewed from Elms Road but they are not of a significant scale to have an adverse impact on the immediate street scene.

The equipment on the south east corner of the Tower Block would be visible from West Crescent but again, they are not structures of any significant scale to have an adverse impact on the immediate street scene. The equipment on the south west corner would not be visible when viewed from West Crescent.

In terms of the wider street scene and the views from the surrounding road network, the proposal can be seen on the skyline but it would ultimately reduce the amount of telecommunications equipment on the Tower Block, which improves its visual appearance.

It is considered that the relocated telecommunications equipment would not have a detrimental impact upon the visual appearance and character of the area.

In relation to the further dishes and antennas being added onto the building in the future, it is impossible for the applicant and officers to confirm that this will not happen. Officers can confirm that depending on the size and position of any new dishes and antennas, they can be erected without planning permission, or alternatively applications for prior approval or full planning permission would have to be submitted. It is considered that this application cannot be recommended for refusal on the grounds of what may or may not occur in the future.

Health Issues

In 1999, the Government set up the Independent Expert Group on Mobile Phones, under the chairmanship of Sir William Stewart. The Group investigated concerns about health effects from the use of mobile phones, base stations and transmitters. They published a report in May 2000, which concluded that the balance of evidence indicates that there are no general health risks to people living near to telecommunications equipment on the basis that exposures are expected to be small fractions' of the guidelines. However, there could be some indirect adverse effects on their well being in some cases.

PPG8 (2001) states that health considerations and public concern can be material planning considerations in determining planning applications for telecommunications equipment and it is for the local planning authority to determine what weight is attached to such considerations. However, it is the Government's firm view that the planning system is not the place for determining health safeguards, as it remains their responsibility to decide what measures are necessary to protect public health. In the Government's view, if the telecommunications equipment meets the International Commission on Non Ionizing Radiation Protection (ICNIRP) Guidelines for public exposure it should not be necessary for a local planning authority to consider health aspects further.

The Council's Environmental Health Officer has commented, "*The application includes a Declaration of Conformity with the ICNIRP public exposure guidelines, therefore I do not have any objections regarding this issue*"

One of the observations made by one of the objectors relates to the need for the applicant to consult the George Dent Nursery, which is located on Elms Road. Under the provisions of PPG8, if an applicant proposes to install a mobile phone base station either on or near a school or college, the applicant must engage with the school prior to submitting the application local

planning authority. The proposal does not involve the erection of a base station and therefore there is no requirement for the applicant to consult the Nursery prior to submission.

Residential Amenity

To ensure that the apparatus can be accessed for routine maintenance, the proposal involves the erection of an access ladder and guardrail to the lower and upper roofs. Concerns have been raised that this will lead to workers overlooking the dwellings on Elms Road and West Crescent. It is not envisaged by the applicant that the apparatus would have to be maintained on a regular basis and therefore workers will only have to use the access on irregular occasions. It can also be argued that the dwellings are already significantly overlooked by the hospital building and the occasional use of the access ladder for maintenance purposes would not cause adverse residential amenity concerns.

The applicant has been requested to provide further information on the reasons for relocating the equipment in the proposed positions rather than locating them elsewhere on the Tower Block. Members will be updated on this information at the Planning Committee

The proposed five pieces of apparatus are not considered significant structures, in size and scale, and they would not lead to significant overshadowing of the dwellings on Elms Road and West Crescent

PPG8 states that significant and intermediate interference with electrical equipment of any kind can be a material planning consideration. There are essentially two kinds of interference. Firstly, there is electromagnetic interference, caused by radio transmitters or by unwanted signals emitted by other electrical equipment. The Radio communications Agency has statutory powers for dealing with this type of interference under the Wireless Telegraphy Act 1949. Only if there is clear evidence that significant electromagnetic interference will arise, or will probably arise, and that no practicable remedy is available, will there be generally by any justification for taking it into account in determining a planning application.

The second type of interference is physical interference. Large prominent structures such as Tower Blocks can cause widespread disruption to analogue television reception and other telecommunications services due to the physical obstruction or reflection of the wanted signals. Digital television signals are far more robust than analogue and, as viewers change to digital over time, offer the prospect of the elimination of such problems.

In this instance, no evidence has been provided to prove that the proposed apparatus will cause or increase existing interference to any other electrical equipment. However, the applicant has been requested to provide confirmation that the equipment will not cause interference and Members will be updated on this issue at the Planning Committee.

The Council's Environmental Health Officer has requested information on the potential for noise emissions from any associated equipment cabinets. Whilst the applicant has confirmed that the associated apparatus are not of any significant size, no information has been provided with regard to noise emissions. The applicant has been requested to provide further information on associated cabinets and apparatus, however, it is considered appropriate to attach a suitable planning condition.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The proposal involves the reduction in the number of telecommunication apparatus on the Tower Block Plant Room from ten to five and their relocation on the building. The applicant has confirmed that there is a need for the apparatus to allow the hospital to carry out its functions. It is considered that the apparatus, once relocated, would not have a detrimental impact on the visual appearance of the street scene. In order to comply with the requirements on health considerations contained with Planning Policy Guidance Note 8 – Telecommunications, the application has been accompanied by a Declaration of Conformity with the ICNIRP public exposure guidelines. It is considered that the development would not have an adverse impact on the residential amenities of the surrounding dwellings and the development would accord with Planning Policy Guidance Note 8 – Telecommunications and the following policies within the Borough of Darlington Local Plan

- E16 – Appearance from Main Travel Routes
- E52 – New Masts
- E53 – Satellite Antennae

RECOMMENDATION

THAT SUBJECT TO FURTHER INFORMATION BEING PROVIDED TO THE SATISFACTION OF THE LOCAL PLANNING AUTHORITY PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 – Implementation Limit (Three Years)
2. Prior to the commencement of the development, precise details of any equipment cabinets or apparatus associated with the telecommunications equipment shall be submitted to and approved by the Local Planning Authority. If the cabinets or associated apparatus contain cooling fans, the details shall include a Noise Impact Assessment. The development shall not be carried out in otherwise than in complete accordance with the approved details
REASON: In order to assess the impact of noise from the development in the interests of residential amenity.
3. B5 – Detailed Drawings (Accordance with Plan)

SUGGESTED SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

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