

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	PL/2025/0000689/PAEC
<b>Site:</b>	Corpus Christi Church, Langbank Avenue, Coventry
<b>Ward:</b>	Binley & Willenhall
<b>Proposal:</b>	Erection of: 22.5m lattice mast with headframe (galvanised grey steel), 12No. antennas (RAL7035 grey), 4No. dishes (2No. 300mm; 2No 600mm) (RAL7035 grey) and 7No. cabinets (RAL7035 grey) and ancillary development.
<b>Case Officer:</b>	Liam D'Onofrio

## SUMMARY

The application is for determination as to whether the prior approval of the Local Planning Authority is required to the siting and appearance of the development for the installation of a 22.5-metre-high lattice mast, seven equipment cabinets and ancillary development. The application is submitted under the requirements of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 16, Class A.

## BACKGROUND

The proposed mast will replace a current mast located on a pylon structure north of St Jude's Crescent, south of the railway line, which is shared by Virgin Media – O2 and Vodafone Limited. The established base station cannot be upgraded for 5G purposes.

## KEY FACTS

<b>Reason for report to committee:</b>	More than five objections received
<b>Current use of site:</b>	Public open space
<b>Proposed use of site:</b>	Telecommunications infrastructure – 22.5m high mast, cabinets and associated infrastructure

## RECOMMENDATION

Planning Committee are recommended to grant prior approval.

## REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will have a minor impact upon the visual amenity of the area; however, the social and economic benefits outweigh any visual harm.
- The proposal falls within the criteria of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) and accords with the NPPF.

## SITE DESCRIPTION

The application site is located within a broad area of informal grassed amenity space that lies between Langbank Avenue and the Coventry to Rugby railway line embankment. A line of pylon structures run to the south of the railway line with residential properties on

Tarquin Close beyond. There is residential development on the northern side of Landbank Avenue facing the amenity space. To the west lies the Corpus Christi church and school campus.

## **APPLICATION PROPOSAL**

This is an application for a determination as to whether the Prior Approval of the Local Planning Authority will be required as to the siting and appearance of a 22.5m high telecommunications lattice mast and associated ancillary works, including seven equipment cabinets. The mast and cabinets will be located within a secure palisade fenced compound, which will be soft landscaped.

The application is supported by an ICNIRP certificate. The applicant also confirms that the proposed telecommunications infrastructure will accord with all relevant legislation and as such will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.

The applicant highlights an existing base station on the pylon structure north of St Jude's Crescent, south of the railway line. Virgin Media-O2 are the host operator and Vodafone Limited are the sharing operator. This established base station cannot be upgraded for 5G purposes, as the amount and weight of equipment required cannot be accommodated on the pylon structure, hence this proposal.

In terms of height, the applicant advises that for any base station to operate effectively and most efficiently, the antennas should protrude above the surrounding manmade and natural features within the landscape, and should, where possible, be tilted and orientated according to bespoke need and to maximise coverage, allowing them to best 'see' their target area. It is therefore the antenna height requirements, along with the need to achieve ICNIRP certification, (which establishes a public exclusion zone for areas around the antennas), that dictate the overall mast height.

## **PLANNING HISTORY**

There is no planning history relating to the site.

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF) December 2024. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The National Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents are read together.

### **Local Policy Guidance**

The current local policy is provided within the Coventry Local Plan 2017, which was adopted by Coventry City Council on 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy  
Policy C2: Telecommunications  
Policy GE2: Green Space  
Policy DE1 Ensuring High Quality Design

## **Emerging Local Policy Guidance – Local Plan Review Reg 19 Consultation**

Local Plan review is currently at Reg 19 consultation. Relevant emerging policy relating to this application is:

Policy DS3: Sustainable Development Policy  
Policy C2: Telecommunications  
Policy GE2: Green Space  
Policy DE1 Ensuring High Quality Design

## **CONSULTATION**

No Objections received from:

- Environmental Protection
- National Air Traffic Services (NATS)

At the time of writing the report comments have not been received from:

- Coventry Airport
- CAA Airspace Regulation

## **Neighbour consultation**

Immediate neighbours and local councillors have been notified; a site notice was posted on 04/04/25.

Fourteen letters of objection have been received, raising the following material planning considerations:

- a) Harm to health / ICNIRP compliance
- b) Too close to schools / homes
- c) Impact upon wildlife / environment
- d) Noise from cabinets
- e) Better mast / cell sharing needed to limit new masts
- f) Visual impact, too big, clutter

Non-material comments have been raised regarding public liability / insurance.

Any further comments received will be reported within late representations.

## **APPRAISAL**

### **Policy considerations**

NPPF para. 119 states: 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.

NPPF para. 122 states that applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

- 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.

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Policy C2 of the Local Plan states that when considering prior approval applications, regard will be given to the following factors, summarised as:

- a) operational requirements of the telecommunication networks and the technical limitations of the technology;
- b) the need for the ICNIRP Guidelines for safe emissions to be met;
- c) the potential for sharing existing masts, buildings and other structures; and
- d) the impact of the development on its surroundings with particular regard to the visual amenity, character or appearance of the surrounding area, heritage or areas of landscape value and the proposed provision of landscaping.

Policy GE2 of the Local Plan states that development involving the loss of green space that is of value for amenity, recreational, outdoor sports and/or community use will not be permitted unless it can be demonstrated that:

- a) An assessment showing there is no longer a demand, or prospect of demand, for the recreational use of the site or any other green space use; or
- b) A deficiency would not be created through its loss, measured against the most up-to-date Coventry Green Space standards; or
- c) The loss resulting from any proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location of the city.

### **Permitted Development Assessment**

The proposed 22.5m mast and associated cabinets and ancillary development accord with the requirements set within Schedule 2, Part 16, Class A.

### **Prior Approval Assessment**

The prior approval part of the application would be considered against Class A Part A.3 of the same legislation. This provides the local planning authority the opportunity to consider if prior approval would first be required for the siting and appearance of the telecommunications equipment and, if so, if prior approval should be forthcoming.

A sequential approach has been taken to site selection. This shows that there were no other viable mast or site sharing opportunities present within the target area, nor were there any existing structures or buildings that offered viable development potential. The applicant concludes that the application site struck an appropriate balance between planning and operational considerations.

The applicant's supporting information also confirms that a letter of consultation was sent to Corpus Christi Catholic Primary School, Riverbank Academy, Ernesford Grange Academy and St Bartholomew's Church of England Academy. No responses were received.

NPPF para. 121 states that local planning authorities should not insist on minimum distances between new electronic communications development and existing development. The mast is set within informal grassed amenity space and will be set well back some 60m from Langbank Avenue and over 75m from the closest residential properties. The mast is located over 65m from the closest church buildings, 160m from the church and 220m from the closest school buildings. This is a fairly generous separation within an urban area and as such any noise from equipment cabinets is not considered to be an issue. For context, the much higher pylons located to the south of the railway line are located some 12m from properties on Tarquin Close and the pylon currently supporting telecommunications equipment is located some 17m from properties on St Jude's Crescent.

From longer vistas existing mature trees will help to screen some three-quarters of the mast and the light grey colour coating (RAL 7035) will appropriately assimilate the mast with the background sky. This is a larger lattice structure; however, it will also enable mast sharing by Virgin Media-O2 and Vodafone.

At ground level the palisade security fence will be colour coated green (RAL 6009 Fir Green) and additional landscaping will be provided to ensure the development appropriately integrates with the green space. These species have been selected with the agreement of the Council's Ecologist. The position of the compound fence has also been amended to provide greater separation to the adjacent public footway.

The location of the mast within informal amenity space would not create a barrier to use of the area. The security compound surrounding the mast is needed for health and safety purposes and the soft landscaping will provide visual mitigation. In assessing this proposal, the LPA gives great weight to the Government's high priority for the provision of high-quality communications and recognise the benefits of supporting the expansion of high-quality communications within the City of Coventry, including next generation mobile technology.

The siting and appearance of the proposed mast, cabinets and ancillary development are therefore considered acceptable.

## **Highways**

The scheme is not located within the public highway and will therefore have no impact on highway safety.

## **Health**

The representations received all raise concern that the mast will cause harm to health and some representations go into significant detail regarding this matter.

The UK Health Security Agency (UKHSA) guidance on 'Mobile phone base stations: radio waves and health' (updated 30 July 2024) states that: Independent expert groups in the UK and at international level have examined the accumulated body of research evidence. Their conclusions support the view that health effects are unlikely to occur if exposures are below international guideline levels.

Government guidance and established case law indicates that the planning system should not duplicate existing controls under other legislation and is not the place to determine health safeguards. It is the Government's view that if a proposed development conforms to International Compliance for Public Exposure Guidelines for Public Exposure to Electromagnetic Fields established by the International Commission on Non-Ionising Radiation Protection (ICNIRP), further consideration of this issue should not be necessary by the local authority. It is central Government's responsibility, not that of the Council or Local Planning Authority, to decide what measures are necessary to protect public health.

NPPF para. 123 states 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.

The application is supported by an "ICNIRP Declaration" that certifies that the proposed site shall be operated in full compliance with the requirements of the radio frequency (RF) guideline limits of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure and UK legislation.

As the application is supported by an ICNIRP certificate the LPA have no reasonable grounds to consider health matters further.

## **Equality Implications**

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

### Conclusion

The proposal falls within the provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) and guidance within the NPPF and therefore it is recommended that Prior Approval is not required and those details, having been submitted, are acceptable.

### CONDITIONS/REASON

<b>1.</b>	The development hereby permitted shall be carried out in accordance with the following approved plans: Drg No. 100 B, 201 D, 301 C, Planting Scheme Statement v1.
<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>

  

<b>2.</b>	Within one month of the erection of the mast, cabinets and associated fencing/gates, they shall have been colour coated in full accordance with the details shown on the approved documentation. The landscaping shall have been planted within the first planting season following the first use of the site.
<b>Reason</b>	<i>To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>