

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	PL/2026/0000646/PAEC
<b>Site:</b>	Sports Ground, Holbrook Lane, Coventry, CV6 4DG
<b>Ward:</b>	Holbrooks
<b>Proposal</b>	Prior approval for the installation of telecommunications base station comprising 20m monopole supporting 2no. antennas, 300mm dishes with 7no. equipment cabinets and ancillary development thereto within compound fencing.
<b>Case Officer:</b>	Emma Spandley

## **INTRODUCTION**

The application seeks Prior Approval for the siting of a 20m monopole telecommunication Mast and associated development including cabinets and compound fencing within the existing car parking of the sports ground.

Part 16 of the General Permitted Development Order (GPDO) establishes that the installation of a telecommunication mast is permitted development and therefore it is accepted in principle by virtue of the legislation.

The Local Planning Authority (LPA) can only assess the proposed development on the basis of its siting and appearance, taking into account any representations received.

There is no requirement to have regard to the development plan as there would be for any development requiring planning permission.

## **RECOMMENDATION**

Planning Committee are recommended to grant the Prior Approval relating to the siting and design only, subject to conditions.

## **REASON FOR DECISION**

The proposal is acceptable in principle, will not adversely impact upon highway safety, will not adversely impact upon character of appearance of the area, will not adversely impact upon the amenity of neighbours and accords with Policies C2, DE1 and AC1 of the Coventry Local Plan 2017 and the emerging Local Plan, together with the aims of the NPPF.

## **SITE DESCRIPTION**

The application site relates to the private car park associated with St Finbarr's Sports and Social Club, located at 303 Holbrook Lane.

The mast will be located towards the eastern end of the car park to the south of and behind the existing Morrisons Building which is located off Parkgate Road and adjacent to an existing sports pitch located to the south of the mast associated with the Sports and Social Club.

## APPLICATION PROPOSAL

The application seeks prior approval of the Local Planning Authority (LPA) for the installation of a 20m monopole with 2no antenna, 300mm transmission dish, 7no cabinets with a fence being erected around the compound on 4no car parking spaces located within the private car park of St Finbarr's Sport and Social Club.

## RELEVANT PLANNING HISTORY

Planning Application No.	Description of Development	Decision & Date
FUL/2011/1963	Change of use from health centre (Use Class D1) to leisure facility (Use Class D2).	Granted 16 <sup>th</sup> December 2011
S73/2013/1481	Variation of Condition No. 5 to allow use of the premises until 2.00am: imposed on planning permission reference FUL/2011/1963, granted on 16th December 2011 for change of use from health centre (Use Class D1) to leisure facility Use Class D2).	Granted at Planning Committee 12 <sup>th</sup> September 2013 and issued 16 <sup>th</sup> September 2013

## 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 DE1: Ensuring High Quality Design

Policy GE4: Tree Protection

Policy AC1: Accessible Transport Network

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

Local Plan review is currently at Examination. Relevant emerging policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy DE1: Ensuring High Quality Design

Policy GE4: Tree Protection

Policy AC1: Accessible Transport Network

## **CONSULTATION**

No objections received from:

- Environmental Protection

No objections subject to conditions have been received from:

- Local Highway Authority.

## **Neighbour consultation**

Immediate neighbours and local councillors have been notified; a site notice was posted.

5no letters of objection have been received, raising the following material planning considerations:

- The siting of the mast near to houses
- The health implications of mobile phone masts

With regards to these representations, all were received from addresses within 200 metres of the application site.

Any further comments received will be reported within late representations.

## **APPRAISAL**

The issues in determining this application are the principle of development, impact on character and appearance of the area, impact on neighbouring amenity, health impacts, highway considerations and equality implications.

### **Principle of Development**

The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) requires the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received.

Part 16 of the GPDO establishes that the proposal is permitted development and therefore it is accepted in principle by virtue of the legislation and there is no requirement to have regard to the development plan as there would be for any development requiring planning permission.

Nevertheless, Policies C2 and DE1 of the Coventry Local Plan (CLP) (and Policy DE1 of the emerging Local Plan) are material considerations as they relate to issues of siting and appearance. They seek to ensure telecommunications installations are suitably sited and do not adversely affect character, appearance or amenity. Similarly, the National Planning Policy Framework (NPPF) is also a material consideration and includes a section on supporting high quality communications.

### **Impact on character and appearance of the area**

The supporting information highlights other sites have been considered and discounted with the application site identified as the most suitable option that balances operational

need with local and national planning policies and that it will deliver public benefit in terms of the mobile services it will provide.

The search process involved an initial 'desk-top' survey to ascertain and identify major constraints and impediments, followed by a physical search of the area. It is important to acknowledge that demand for network coverage is always most prevalent within dense residential areas, especially following the working from home shift post pandemic.

Complications continue when one realises that 5G frequencies are higher than previous generations and cannot propagate as far, or through materials as well as previously. As a consequence, the technology requires smaller cells which reduces the availability of options even further. It is recognised that the very nature of installing new 5G communications infrastructure within a dense residential area requires a well-measured balance between the need to extend practical coverage with the risk of increasing visual intrusion. Unfortunately, within dense residential areas, views from residential properties are inevitable but nonetheless, the most viable solution that minimises amenity issues, has been put forward.

For context, the site is within the grounds of an existing sports and social club, which lies within a commercial area, mixed in with houses. The access to the site is from Holbrook Lane, which lies in between a car sales and repair business and a row of shops with flats above. On the opposite side of Holbrook Lane is another car sales and repair business. A petrol station is located to the south of the row of shops on Holbrook Lane. The nearest residential properties are located over 95m away.

The proposed new mast has been sited and designed in order to provide 5G coverage and to support the existing mobile network. It is paramount that digital connectivity is supported and maintained throughout the country. In particular the shift in user demand from city centres and places of work to residential areas and suburbs requires an improvement in coverage and capacity across the whole network. The current proposal therefore provides such additional capacity to the network whilst still promoting the improved 5G technology.

Due to the significant separation distances involved and intervening buildings the apparatus and cabinet are not considered to result in any significant impact upon the amenities of nearby residents.

### **Impact on neighbouring amenity**

The Mast will be located towards the eastern end of the car park behind the existing Morrisons Building which is located off Parkgate Road and adjacent to an existing sports pitch located to the south of the mast associated with the Sports and Social Club.

The nearest residential properties, measured how the crow flies northwards, are located fronting Parkgate Road, Nos.25 – No.47 (odd) and sit to the front of Morrisons. They are located over 95m away. The Morrisons building is in between the proposed mast and the houses.

Beyond Morrisons to the northwest are No.53 – No.83 Parkgate Road, with No.53 over 100m away and No.83 being over 174m away.

The new properties being constructed within Algate Close to the northeast that sit behind No.65 – 83 Parkgate Road are over 115m away from the mast.

To the west the properties within Blenheim Avenue, No.12 and No.46 are side onto the site, separated by a full-sized pitch and are over 170m away.

The properties within Holborn Avenue to the south are located over 95m away.

Due to the location of the mast within the private car park of a Sports and Social Club in a mixed area of commercial and residential it is considered there will be an acceptable impact on residential amenity.

### **Health Impacts**

The installation of telecoms infrastructure would normally count as development and require planning permission. However, communications network operators have certain permitted development rights. These are rights to make specified changes to a building or land without the need to apply for full planning permission from the local planning authority (LPA). They are derived from a general planning permission granted by Parliament. Whether or not a mobile mast is permitted development will depend on its height and location.

Operators have to submit a statement that confirms that a mobile mast will adhere to exposure limits on non-ionising radiation set by International Commission on Non-Ionizing Radiation Protection (ICNIRP). The ICNIRP is an independent organisation that provides scientific advice and guidance on non-ionising radiation. It is formally recognised by the World Health Organisation (WHO) and the International Labour Organisation (ILO).

The UK Health Security Agency, which is responsible for assessing risks to public health, recommends that ICNIRP guidance should be followed. The Government states that local authorities should not set health safeguards that are different to ICNIRP guidelines. The application has been accompanied by a declaration that all equipment will be in full compliance with ICNIRP guidelines.

The Government also states that local authorities should not refuse applications for mobile masts on health grounds where ICNIRP guidelines are met.

### **Highway Considerations**

Application FUL/2011/1963 which approved the change of use from a health centre to the sports and social club, imposed condition no.2 required the existing vehicle and cycle parking areas and manoeuvring space to be kept free of obstruction and be available for use.

Subsequent application S73/2013/1481 varied condition 5 (opening hours) imposed the same condition (No.1), which required the parking spaces to be kept free and available for use.

The proposed mast and base stations will result in a loss of approximately 4 car parking spaces from the site. As a proportion of the wider parking capacity this represents only a minor loss, therefore the Local Highway Authority (LHA) considers this would be unlikely

to result in any severe highway impacts that would be to a level that would warrant refusal of the application on highway grounds.

### **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;
- 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.

Objectors have raised concerns over the Health Impacts of telecommunication masts. In this case, the local planning authority can only assess the proposed development on the basis of its siting and appearance, taking into account any representations received.

Operators have to submit a statement that confirms that a mobile mast will adhere to exposure limits on non-ionising radiation set by International Commission on Non-Ionizing Radiation Protection (ICNIRP) and the Government states that local authorities should not set health safeguards that are different to ICNIRP guidelines. The Government also states that local authorities should not refuse applications for mobile masts on health grounds where ICNIRP guidelines are met.

The application has been accompanied by a declaration that all equipment will be in full compliance with ICNIRP guidelines. It is therefore concluded that there will not be an unacceptable impact on individuals with protected characteristics. The proposal is considered to comply with the requirements of the Equality Act 2010.

### **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 in line with guidance in the NPPF and therefore it is recommended that the prior approval is required and those details, having been submitted, are acceptable, subject to a condition requiring the cabinets to be colour coated green, with the mast colour coated black.

### **POLICY APPENDIX**

National Planning Policy Framework (NPPF) December 2024.  
Coventry Local Plan 2017 & Emerging Local Policy  
Supplementary Planning Guidance/ Documents (SPG/ SPD)

The National Planning Policy Framework (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".

### **Principle of development**

The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) establishes that the proposal is permitted development where the local planning authority can only assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received.

Part 16 of the GPDO establishes that the proposal is permitted development and therefore it is accepted in principle by virtue of the legislation and there is no requirement to have regard to the development plan as there would be for any development requiring planning permission.

### **Impact on Character and appearance of the area**

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.

Paragraph 131 of the NPPF states the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The National Planning Policy Framework, paragraph 135 states that "Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 139) “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

### Highway considerations

Policy AC1 ‘Accessible Transport Network’ states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Parking provision should accord with the maximum standard expressed in Appendix 5 unless it has been clearly demonstrated that the site is in a highly accessible location where transport, by means other than the private car is a realistic alternative. In that respect lower levels of provision may be considered acceptable where the site is in close proximity to the City Centre, a train station, a high-quality rapid transport route or other public transport interchange and where there is a package of measures (proportionate to the scale of development) to enable sustainable means of transport. Any variation from the maximum standard must be fully justified by proportionate evidence.

## CONDITIONS /REASONS

1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> <li>• DRAWING - Site Location Maps - Drawing No.100 Rev A</li> <li>• DRAWING - Proposed Site Plan - Drawing No.201 Rev C</li> <li>• DRAWING - Proposed Site Elevation A - Drawing No.301 Rev B</li> </ul>
<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>
2.	Within one month of the installation of the Mast and associated apparatus hereby approved, they shall have been colour coated Black (RAL 9005).

	<p>The ground based cabinet(s) hereby approved, they shall have been colour coated Green, in accordance with the approved plans. Any replacement or modification shall be colour coated to match within one month of being carried out.</p>
<b>Reason</b>	<p><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 2016.</i></p>