

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	TELO/2022/2338
<b>Site:</b>	Land at Holyhead Road
<b>Ward:</b>	Sherbourne
<b>Proposal:</b>	Prior approval application for proposed telecommunications installation 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary work
<b>Case Officer:</b>	Ayesha Saleem

## SUMMARY

The prior approval seeks to install a 15.0 metre monopole mast and associated equipment cabinets. As per Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) certain telecommunications development such as masts and equipment cabinets are permitted development subject to the local planning authority approving siting, design and appearance.

## BACKGROUND

The proposed installation is part of 3's network upgrade to rollout 5G network in the area. The proposal is recommended for approval.

## KEY FACTS

<b>Reason for report to committee:</b>	The application has received more than 5 representations.
<b>Current use of site:</b>	Wide verge
<b>Proposed use of site:</b>	Telecommunication Infrastructure

## RECOMMENDATION

Planning committee are recommended to grant Prior Approval subject to compliance with the submitted drawings subject to conditions.

## REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will have limited adverse impact upon the visual amenity of the area; however, the social and economic benefits of the proposal would outweigh 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.

## BACKGROUND

### **APPLICATION PROPOSAL**

The application seeks prior approval for the erection of a 15.0m high mono pole mast and associated equipment cabinets as part of 5G network rollout by 3. There are three equipment cabinets in association with the proposed mono pole mast as ancillary development:

- The first cabinet is to have a height of circa 1.7 metres and width of circa 1.9 metres.
- The second cabinet is to have a height of circa 1.1 metres and width of circa 0.6 metres.
- The third cabinet proposed to have a height of circa 1.5 metres and width of circa 0.5 metres.

The monopole is proposed to be at a maximum height of 15.0 metres and the cabinet below is to be at a height of circa 1.6 metres with a width of circa 1.7 metres,

### **SITE DESCRIPTION**

The site is a wide verge along the eastern side of Holyhead Road outside the Sytner Dealership. The site is located adjacent to Alvis Retail Park. The closest residential property is No 127 Waveley Road located circa 92.0 metres away from the proposed equipment.

### **PLANNING HISTORY**

<b>Application Number:</b>	<b>Description of development:</b>	<b>Decision and date:</b>
T14/2022/2308	Proposed telecommunications installation: Proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works	Response sent 26/08/2022

### **POLICY**

#### **National Policy Guidance**

National Planning Policy Framework (NPPF). The NPPF published in July 2021 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 promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this 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 2016, which was adopted by Coventry City Council on 6<sup>th</sup> December 2017. Relevant policies relating to this application are:

Policy DE1: Ensuring High Quality Design

Policy C1: Telecommunications

## **CONSULTATION RESPONSES**

Highways- No objection

## **PUBLIC RESPONSES**

Notification letters were sent out to neighbouring units and one site notice was displayed outside the site on 1st September 2022.

Ten representations have been received and five letters of objections raising the following material planning considerations:

- a) Radiation warnings/ electromagnetic pollution
- b) Health and safety concerns
- c) Impact upon visual amenity of Streetscene
- d) Scale is too high

Within the letters received the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- e) Devalue properties

Any further comments received will be reported within late representations.

## **ASSESSMENT**

The proposals are permitted development under Schedule 2, Part 16, Class A of the GPDO. Therefore, the main issues in determining this application are siting and design only, as matters for consideration for prior approval.

### Siting, Design and Appearance:

The NPPF recognises that 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). Nevertheless, paragraph 115 of the NPPF suggests that the number of masts should be kept to a minimum and where new sites are required (such as for new 5G networks), equipment should be sympathetically designed and camouflaged where appropriate.

Paragraph 117 of the NPPG suggests 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 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 states “When considering notifications, planning applications and prior approval applications, regard will be given to the following factors:

- a) operational requirements of the telecommunication networks and the technical limitations of the technology, including any technical constraints on the location of telecommunications apparatus;
- b) the need for the ICNIRP Guidelines (and any other relevant guidance in place at the time of the application) 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 following criteria:
  - i. the visual amenity, character or appearance of the surrounding area.
  - ii. apparatus and associated structures sited on a building should be sited and designed in order to seek to minimise impact to the external appearance of the host building.
  - iii. development should not have an unacceptable effect on conservation areas or buildings of architectural or historic interest or areas of ecological interest or areas of landscape value or sites of archaeological importance.
  - iv. the proposed provision of landscaping.”

The National Planning Policy Framework, paragraph 130 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 because 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 134) “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. Conversely, significant weight should be given to:

- a) development which reflects 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; and/or
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”

The telecommunications equipment will be located on a wide verge on Holyhead Road outside an existing car dealership and adjacent to Alvis Retail Park. The site in question is not identified as a sensitive area in respect of conservation, ecology or landscape; nor will the proposed telecommunications equipment be detrimental to the aspect of nearby residents as the equipment will not be sited directly in front of any residential habitable room windows given the predominantly commercial nature of the surrounding area. The proposed mast would be away from the direct visibility line of the surrounding residential properties.

Whilst it is acknowledged that the mast will be significantly higher than other structures nearby, the equipment will not be in the sightlines of the road junction and pedestrian crossing points, nor will the equipment reduce the width of the existing footpath. Nevertheless, the proposal should also be balanced with the benefits of the proposal. The provision of an improved signal to deliver 5G coverage in the area will contribute to delivering a modern, advanced, high quality and reliable communications infrastructure that supports a range of consumers, including the emergency services. The delivery of such high-end technology will support economic growth and the local community by enabling fast and reliable communication to take place, for example by helping people gain employment, access services, support their health and well-being, whilst also assisting new technologies.

Whilst there are several other street-works masts within the locality (at the junction of Holyhead Road and Four Pounds Avenue), given their minimal scale there is no opportunity for mast sharing without substantial redevelopment and increases in height. Officers are satisfied that there are no other less harmful alternatives available within the locality.

As stated above the height of the mast will be 15.0 metres. The height, siting and appearance of the proposed new telecommunications equipment will have an acceptable impact, which is further balanced by the wider economic and social benefits that would stem from the proposed 5G coverage.

It is therefore considered that with respect to siting and appearance, the proposal is appropriate in this location.

#### Health and Safety

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. The Health & Safety

Executive and the National Radiological Protection Board (now part of Public Health England) are responsible for monitoring and enforcing compliance with ICNIRP.

The applicant has provided a Declaration of Conformity with ICNIRP Public Exposure Guidelines, ensuring that the proposed telecommunications equipment is in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation (ICNIRP), as expressed in EU Council recommendation of 12<sup>th</sup> July 1999 (1999/519/EDC) on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)".

#### 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 in line with guidance of the NPPF and therefore it is recommended that the prior approval is not required and those details, having been submitted, are acceptable.

#### **CONDITIONS:/REASON**

1. The development hereby permitted shall be carried out in accordance with the following approved documents:  
Grouped Plans Ref- COV24049  
ICNIRP Certificate  
Developers Notice England  
Site Provider Letter  
Covering Letter  
Site Specific Supplementary Information

**Reason:** *For the avoidance of doubt and in the interests of proper planning.*

2. Within one month of the installation of the telecommunications mast and associated equipment cabinets hereby permitted, they shall be colour coated black on all external faces. Any replacement or modification shall be colour coated to match within one month of such replacement or modification being carried out.

**Reason:** *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 C2 and DE1 of the Coventry Local Plan 2016.*