

Unrestricted Report

ITEM NO: 10

Application No.
18/01245/RTD

Ward:
Winkfield And
Cranbourne

Date Registered:
25 December 2018

Target Decision Date:
18 February 2019

Site Address:

Junction Lovel Road, Pigeonhouse Lane and North Street Winkfield Windsor Berkshire

Proposal:

Installation of 17.8m high monopole with an integrated equipment cabinet and 3 free standing equipment cabinets.

Applicant:

EE Ltd

Agent:

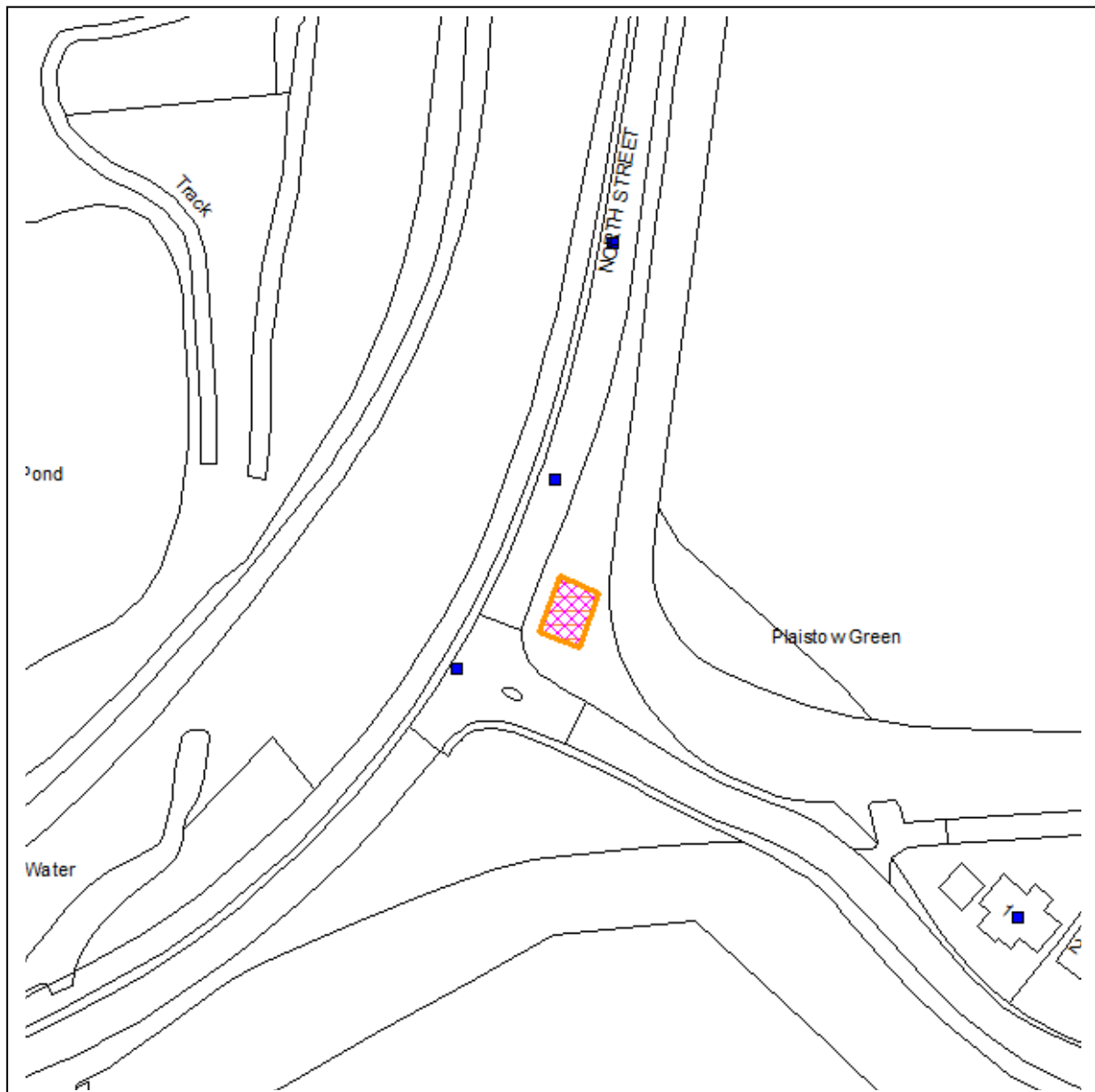
Juliet Baller

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1. SUMMARY

1.1 Prior approval is sought for the installation of a 17.8m high Phase 6 monopole with wrap around integrated cabinet and 3no. freestanding equipment cabinets.

1.2 It is considered that the proposed equipment would not be considered to appear so incongruous in the street scene due to its appropriate and slimline design and its colour. The height of the structure at 17.8m is the absolute minimum required for the equipment to operate effectively. The need and lack of alternative/more appropriate sites has been justified. Further, the proposal would not result in adverse highway safety implications.

1.3 It is therefore recommended that prior approval be granted.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as the application has to be determined within 56 days.

3. PERMITTED DEVELOPMENT RIGHTS FOR ELECTRONIC COMMUNICATIONS APPARATUS

3.1 Class (a) A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) deals with permitted development for electronic communications apparatus.

3.2 Class (a) A relates to the installation, alteration or replacement of any electronic communications apparatus. A.1 states that development is not permitted by Class A (a) if- in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—

- (i) 25 metres above ground level on unprotected land; or
- (ii) 20 metres above ground level on article 2(3) land or land which is on a highway;

3.3 The proposed mast would not exceed 25 metres and as such the mast complies with the above. The proposed equipment cabinets would have a volume less than 2.5 cubic metres and would therefore be permitted development. The proposed development will however be assessed in its entirety for the purposes of this application.

3.4 As the proposed telecommunications equipment is in close proximity to the highway and is a new development, it is considered necessary to assess both the siting of the proposed development in terms of highway safety and its appearance; as such Prior Approval is required to ensure that there is no detrimental impact upon highway safety or adverse impact upon the character of the area.

4. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Green Belt

4.1 The application site comprises an area of land sited to the north of Lovel Road and to the east of North Street. The area of land is a large grass verge, upon which highway signage and lamp posts are sited on. There is a mature hedge that denotes the southern and

western boundaries of the field that lies beyond the application site, along with some existing deciduous trees.

4.2 To the north-west/west of the site is the Royal Berkshire Polo Club. To the north and south of the site lie open fields. To the east/south-east of the site are residential dwellings – the closest being approximately 65m to the boundary with no. 1 Kilbees Cottage on Lovel Road.

4.3 Cranbourne Primary School is located to the east of the site, approximately 230m away.

4.4 For information, temporary telecommunications equipment has been installed to the south of the application site. This equipment has been erected due to an urgent need to provide network coverage.

4.5 Class A(b) of Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows for *"the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use"*. The temporary equipment as installed on site is therefore permitted development by virtue of the aforementioned legislation. Temporary installations are usually removed once a permanent telecommunications development is built, tested and fully integrated into the network.

5. RELEVANT SITE HISTORY

5.1 18/01103/RTD withdrawn for application for the installation of 17.5m high monopole with an integrated equipment cabinet at its base supporting shrouded antennas and 2 external dishes, along with 3 free standing equipment cabinets and ancillary development.

5.2 The application was withdrawn as following a trial dig it revealed the presence of underground services not shown on utilities maps.

6. THE PROPOSAL

6.1 This application seeks prior approval for the erection of a 17.8m high Phase 6 monopole with wrap around integrated cabinet, along with the addition of 2no. 0.6m diameter transmission dishes fixed at a height of 13.10m to the proposed monopole. The wraparound cabinet would have dimensions of 1.2m x 0.6m x 1.5m.

6.2 In addition, 3no. freestanding equipment cabinets are proposed – 2no. EE Huawei side by side cabinets with dimensions of 0.6m x 0.48m x 1.6m in height and 1no. EE Commscope Link AC Mk5 cabinet with dimensions of 1.15m x 0.5m x 1.55m in height; all of which would be installed on new concrete bases. The proposed monopole would be grey in colour and the proposed equipment cabinets would be green in order to assimilate with the landscape.

6.3 The mast and the associated equipment cabinets are 'permitted development', but the developer must apply to the Local Planning Authority (LPA) to ascertain whether prior approval is required for the siting and appearance of the development. In this instance the applicant has submitted these details for approval and the Council has 56 days in which to consider them. If no decision is made within the timeframe the application will be deemed as approved.

6.4 The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

Technical justification

6.5 The supporting information submitted as part of the application states that a Phase 6 street furniture monopole is proposed at this site as it has a support column similar to a lamppost and was considered to be the most appropriate form of telecommunications equipment used for the technologies' required at this site. The shroud of the equipment would conceal the antennas from view. The integrated wrap around cabinet further reduces the overall number of equipment cabinets needed. The height of the antennas is based on a detailed assessment of the network, technical requirements and the surrounding area (including location and height of trees/buildings in the surrounding area). The height of the equipment at 17.8m is the absolute minimum which is required for the site to operate effectively as opposed to the "ideally determined radio height". The 4no. cabinets are required to generate the signals on all the required frequencies and to provide a power and transmission link.

6.6 The telecommunications equipment was originally proposed to be sited on the rear of the verge (proposed as part of application 18/01103/RTD which was subsequently withdrawn in December 2018) however following a trial dig it revealed the presence of underground services not shown on utilities maps. As such, this required the re-siting of the equipment to the position proposed by this application.

6.7 The proposed telecommunications equipment is required to provide a new Emergency Services Network (ESN). The ESN will replace the existing Airwaves communications service currently used by the Emergency Services and other public safety and national contingency organisations across England, Scotland and Wales. The proposed equipment would provide a communications service for the UK's Emergency Services. There is a specific requirement to introduce coverage for the ESN centred around local road networks and it is considered that there is an urgent need for network coverage in this area.

6.8 In addition, the proposed telecommunications equipment would also provide new and enhanced coverage to users of the EE network which requires improvement in this area, with users reporting less than satisfactory service. The proposal will enable 2G, 3G and 4G service provision. The site will also be 5G compatible and can be upgraded in the future without development of the monopole when services are rolled out across the UK.

Site selection process

6.9 The supporting information submitted as part of the application states that there is a very specific service coverage requirement along the B3022 and Lovel Road. As such, there is a requirement for telecommunications equipment in this location. The site selection process therefore focused around the area and in particular around this road junction.

6.10 5 alternative sites were considered and discounted in the area. These are summarised as follows:

1. Land south of Pigeonhouse Lane/Lovel Road: the siting, along with the existence of trees would require a structure as high as 22m. Because of this height requirement, a street furniture monopole could potentially not have been used and alternative structure required. The site also adjoins a Grade II* listed park and garden at Ascot Place.
2. Verge on Pigeonhouse Lane (approx. 160m SW of junction with Lovel Road): the site is too far south of the area requiring coverage. The ESN cannot compromise on coverage provision.

3. Plaistow Green, east of North Street: is a private site which is open with little screening, closer to housing. As such, it was considered that the technical requirement could be met in the site proposed without disturbance to the land owner.
4. Lovel Road: much of the road is too far from the area which an installation can adequately meet the coverage requirement. Pavements along the road would be too narrow for an installation and there is no screening.
5. North Street: there is very limited space where the technical requirements could be met. No space was identified where the necessary apparatus could be accommodated and would represent an improvement over the selected position proposed by this application.

6.11 As such, the above sites were all discounted. Once a site was selected (the site subject to this application), consideration was then given to the most appropriate form of equipment to provide coverage. An unshrouded industrial style monopole and lattice structure were not considered appropriate for the space or visually appropriate, as such a Phase 6 street furniture pole was selected.

6.12 The remainder of this report will therefore focus on the acceptability of the proposed telecommunications development.

7. REPRESENTATIONS RECEIVED

Winkfield Parish Council

7.1 No comments received at the time of printing of this report.

Other representations

7.2 2no. letters of objection received which raise the following:

- Mast is an eyesore;
- What is going to be done to hide the ugliness of the structure;
- Distraction to motorists and will no doubt contribute to accidents at the junction;
- Why could it not be sited in Ascot Place where it could be masked by trees.

Officer comment: The above objections appear to relate to the temporary structure that has been erected on the southern side of Lovel Road and to the east of Pigeonhouse Lane as reference is made to the visual appearance of the structure.

8. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

8.1 No objection.

9. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

9.1 The key policies and guidance applying to the site are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 and SC4 of BFBLP	Consistent (SC4 consistent with regards to character and appearance considerations)
Highway safety	CS23 of CSDPD	Consistent
Telecommunications Provision	Saved policy SC4 of BFBLP	Not consistent in terms of need
Supplementary Planning Documents (SPD)		
(None)		
Other publications		
National Planning Policy Framework (NPPF) Community Infrastructure Levy.		

10. PLANNING CONSIDERATIONS

10.1 The key issues for consideration are:

- i. Impact on character and appearance of the area
- ii. Impact on highway safety
- iii. Health implications
- iv. Need
- v. Community Infrastructure Levy

10.2 In assessing this type of application, the Council can only assess the siting and appearance of the development. The site lies within the Green Belt; however this constraint is not a material consideration in the determination of the prior approval application, an assessment can be made solely on siting and appearance of the development as set out in Class (a) A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). If there are no implications associated with the siting and appearance, the development is considered to be permitted development.

i. IMPACT ON CHARACTER AND APPEARANCE OF THE AREA

10.3 Policy SC4 of the Bracknell Forest Borough Local Plan states: "Planning permission for network telecommunications development will be permitted provided that... There is no reasonable possibility of erecting antennas in an existing building or structure or of sharing facilities...The development must be sited so as to minimise its visual impact, subject to technical and operational considerations."

10.4 Section 10 of the NPPF refers to supporting high quality communications. Para 112 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". Para 113 states "where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate". Para 115 goes onto state "applications for electronic communications development (including applications for prior approval) should be supported by the necessary evidence to justify the proposed development. This should include...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”.

10.5 The proposed telecommunications equipment would be set 8m from both Lovel Road to the south and North Street to the west, sited on a grass verge. The grass verge forms part of a verdant setting that is evident along Pigeonhouse Lane and North Street where large swaths of grass verges, mature hedgerow and trees line the highway and contribute to the rural character of the area. However, the grass verge upon which the proposed telecommunications equipment would be sited on also comprises existing street furniture with lamppost columns approximately 8m high, road signs and surrounding trees approximately 8m high. The proposed monopole would be 17.8m high and would be significantly taller than existing street furniture and trees; however there is a requirement for the monopole to be such a height. It should be noted that the height proposed is the minimum height for the proposed equipment to operate effectively as opposed to its ideal “determined radio height”. The proposed telecommunications equipment would not be sited on an area of land that is completely absent of any roadside paraphernalia and whilst the proposed equipment would be readily visible in the street scene due to both its siting and height, it is not considered that the proposal would unduly detract from the rural character of the area or appear so incongruous in the landscape.

10.6 The technical need for the installation to provide both Emergency Services Network coverage and EE coverage has been demonstrated as part of the application. Alternative sites have been considered and discounted as part of this application. In an appeal from 2015 (*Vodafone v Bexley*), an Inspector considered *“it is unlikely that there is an alternative which would meet the operator’s needs as effectively but with materially less harm. The need and lack of better alternatives weights in favour of allowing the appeal...whilst the proposal would harm the character and appearance of the locality, this would be outweighed by the need and lack of better alternatives”*. It is acknowledged that the proposed telecommunications equipment would result in some visual impact on the area due to its height and siting, however the degree of harm is not considered to be so adverse and taking into account there is a network need for the equipment in this location and 5 other locations were discounted due to factors including site constraints or network coverage issues, on balance, the proposed development is considered acceptable.

10.7 The proposed monopole would be slimline in design, with the pole ranging in width between 0.4m and 0.6m taking into account the shrouded antenna. The proposed slimline design of the monopole, along with its simple design would be considered to be more appropriate than other design choices such as a lattice tower or unshrouded monopole. The proposed monopole would be grey in colour so as to assimilate against the backdrop of the sky and surrounding street lighting columns.

10.8 The proposed cabinets would be a maximum of 1.6m in height. They would be sited adjoining the proposed monopole and set out in a linear formation. As such, the siting of the cabinets would be acceptable, consolidating development around the proposed monopole, thus limiting the spread of development and not appearing visually cluttered. The proposed cabinets would be green in colour so as to assimilate with hedgerow that exists to the east of the proposed telecommunications equipment.

10.9 In summary, whilst the proposed telecommunications equipment would appear visible due to its siting and height, it would not be considered to appear so incongruous in the street scene due to its appropriate and slimline design and its colour. The height of the structure at 17.8m is the absolute minimum required for the equipment to operate effectively. The need and lack of alternative/more appropriate sites has been justified. Para 112 of the NPPF emphasises that communications infrastructure is essential for economic growth and social

well-being. As such, whilst there would be some visual harm to the area resulting from the proposal, this is outweighed by the social and economic benefits of providing both Emergency Services Network coverage and EE coverage in accordance with the NPPF.

10.10 It is therefore considered that the proposed development would not result in an adverse impact on the character and appearance of the area in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN20 and SC4, and the NPPF.

ii. IMPACT ON HIGHWAY SAFETY

10.11 The proposed monopole and cabinets would not interfere with traffic sight-lines, and thus would not create a highway safety concern.

10.12 The apparatus is to be sited on a verge, which is assumed to be highway land. As such, the proposed telecommunications equipment would require separate highway consent from the Council and the applicant should be advised to contact the Council's Highway Network Management Team to discuss this/obtain the relevant highway consent. This matter can be dealt with by an informative.

10.13 A crane may need to be parked on the road for maintenance of the telecommunications equipment and a S171 licence will need to be applied for siting access machinery on the highway (via the Council's Highway Network Management team). Again, this matter can be dealt with by an informative.

10.14 As such, the proposal is considered to be in accordance with CS23 of the CSDPD and the NPPF and would not result in highway implications.

iii. HEALTH IMPLICATIONS

10.15 The applicant has submitted a certificate which confirms that the proposed mast meets ICNIRP (International Commission Non-Ionising Radiation Protection) guidelines.

10.16 The ICNIRP is an independent scientific body which has produced an international set of guidelines for public exposure to radio frequency waves. These guidelines were recommended in the Stewart Report and adopted by the Government, replacing the National Radiological Protection Board (NRPB) guidelines.

10.17 It is therefore considered that there are no grounds for refusal of the proposal based on perceived health risks, and as a result the proposal complies with the NPPF.

iv. NEED

10.18 BFBLP 'Saved' Policy SC4 refers to telecommunication development being permitted provided that there is a need for the development.

10.19 Paragraph 116 of the NPPF 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.

v. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.20 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

10.21 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the proposal is not CIL liable as it would not constitute the creation of internal floor space/a new dwelling.

11. CONCLUSION

11.1 Whilst the proposed telecommunications equipment would appear visible due to its siting and height, it would not be considered to appear so incongruous in the street scene due to its appropriate and slimline design and its colour. The height of the structure at 17.8m is the absolute minimum required for the equipment to operate effectively. The need and lack of alternative/more appropriate sites has been justified. Para 112 of the NPPF emphasises that communications infrastructure is essential for economic growth and social well-being. As such, whilst there would be some visual harm to the area resulting from the proposal, this is outweighed by the social and economic benefits of providing both Emergency Services Network coverage and EE coverage in accordance with the NPPF.

11.2 Further, the proposal would not result in adverse highway safety implications. There are no grounds for refusal based on perceived health risks. The proposal is not CIL liable.

11.3 Therefore recommend prior approval be granted.

12. RECOMMENDATION

12.1 That the development be granted subject to compliance with the following conditions:

1. Drawing no. 002 Site location plan received by Local Planning Authority on 3 January 2019
Drawing no. 205 Proposed EE site plan received by the Local Planning Authority on 3 January 2019
Drawing no. 255 Proposed EE Elevation A received by the Local Planning Authority on 3 January 2019
Supplementary Information received by the Local Planning Authority on 29 January 2019

Informatives

1. The applicant is advised to seek consent from the Council's Highways Network Manager for any traffic management works. The Highways Network Manager can be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000.
2. The applicant is advised that consideration should be given to the use of anti-graffiti paint on the proposed cabinets.