

**ITEM NO:**

Application No.  
**22/00585/RTD**  
Site Address:

Ward:  
Crown Wood

Date Registered:  
7 July 2022

Target Decision Date:  
14 October 2022

**Telecommunications Mast Opladen Way Bracknell  
Berkshire**

Proposal: **Installation of 15m monopole and associated radio-equipment housing and ancillary development.**

Applicant:

Agent:

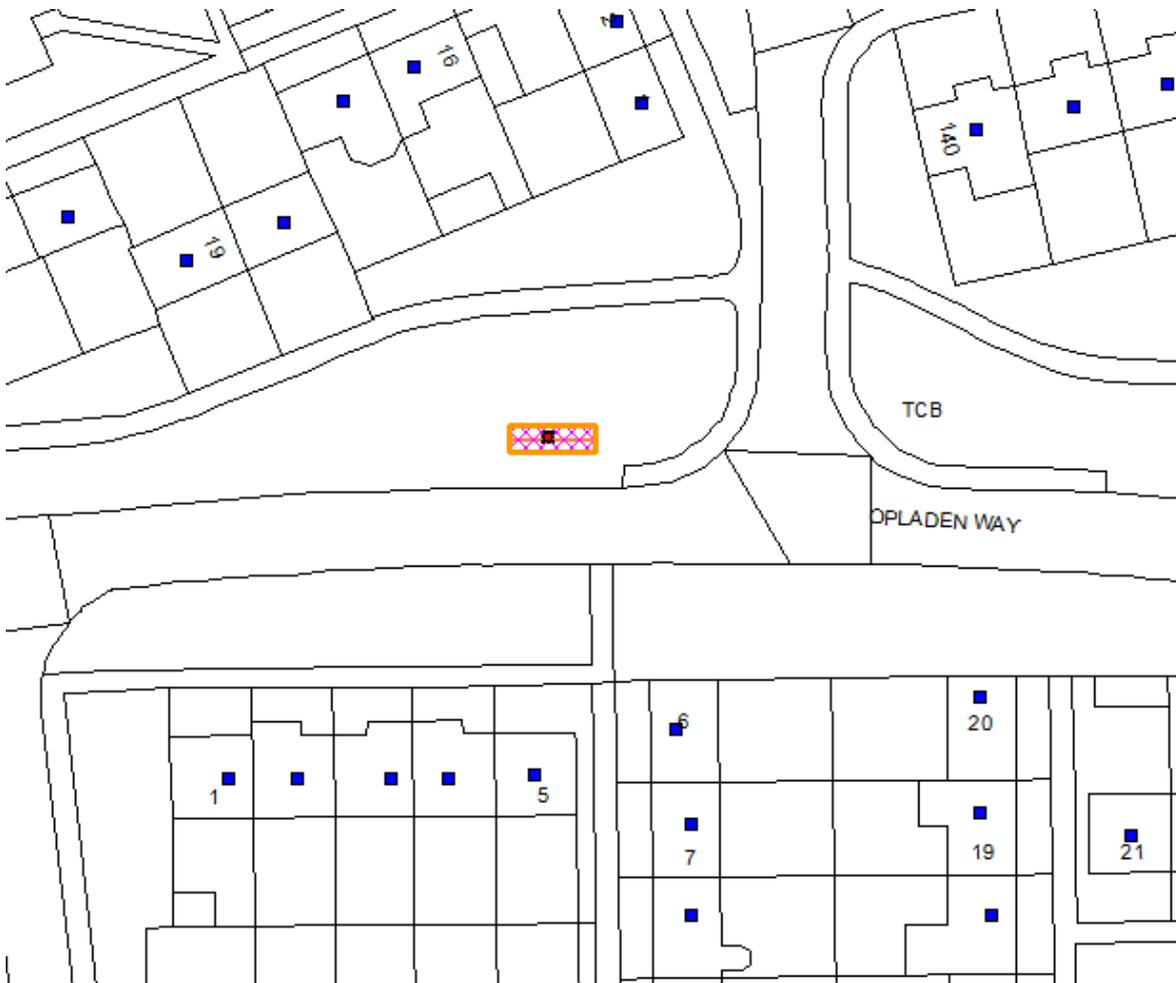
Jessica Craig

Case Officer:

Louise Fuller, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)

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



## **OFFICER REPORT**

### **1. SUMMARY**

1.1 An assessment has been made as to whether the prior approval of the Local Planning Authority is required for the siting and appearance of the proposed development which comprises the installation of a 15m high Phase 5 monopole with associated cabinets.

1.2 As the proposal is for the installation of a new mast and associated development, it must be assessed on its own merits against the relevant criteria and it is concluded that prior approval is required. It is recommended that prior approval is granted, subject to no objection from the Highway Authority or the Trees Team, as the siting and appearance of the proposed development would not result in unacceptable impacts to the residential amenities of neighbouring dwellings or the character of the area.

<b>RECOMMENDATION</b>
Prior approval is required and prior approval is granted subject to the recommendation set out in Section 12 of this report.

### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

2.1 The application has been submitted under the prior approval procedure and an extension of time has been agreed as it could not be determined within 56 days. The application has also received more than 5 objections.

### **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
Within the settlement boundary
Area of open space

3.1 The proposed telecommunications installation is to be sited on a section of grass verge along the main stretch of Opladen Way, in close proximity to the junction with Oldstead.

### **4. RELEVANT SITE HISTORY**

4.1 There is no relevant site history to this current prior approval application.

### **5. PERMITTED DEVELOPMENT RIGHTS FOR ELECTRONIC COMMUNICATIONS APPARATUS**

5.1 Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GDPO 2015 (as amended)") covers development by electronic communications code operators.

5.2 Class A permitted development is:

A. Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land

controlled by that operator or in accordance with the electronic communications code, consisting of—

- (a) the installation, alteration or replacement of any electronic communications apparatus,
- (b) 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, or
- (c) development ancillary to radio equipment housing.

5.3 The proposed installation of a 15m monopole associated radio-equipment housing and ancillary development would constitute the installation of electronic communications apparatus as set out in (a) above and be classed as "ground-based equipment".

5.4 The caveats relating to ground-based equipment are set out at A.1 (1) of the GPDO 2015 (as amended) which states:

Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A (a) if...

- (c) 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;

5.5 The proposed mast at a height of 15m would be sited on unprotected land (that is land that is not article 2(3) land or highway land) and would satisfy the above caveats. As such, the proposal would be considered permitted development, subject to the following conditions set out at A.2 (3) of the GPDO 2015 (as amended):

(3) Subject to sub-paragraph (5), Class A development...

(c) on unprotected land where that development consists of—

(i) the installation of a mast...

is permitted subject, except in case of emergency (in which case only paragraph A.3(12) applies), to the conditions set out in paragraph A.3 (prior approval).

5.6 The proposal consists of the installation of a mast which satisfies the criteria for permitted development set out in Class A, Part 16 of the GPDO 2015 (as amended). As such, the developer must apply to the Local Planning Authority for determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development, as set out under paragraph (4) A.3 of Class A, Part 16, Schedule 2 of the GPDO 2015 (as amended).

5.7 The Code of Best Practice on Mobile Network Development in England (November 2016) provides some guidance as to what matters can be considered relating to siting and appearance. Siting can include existence of topographical features and natural vegetation, impact on skyline, site in relation to existing masts, structures and buildings. Design can include height in relation to surrounding area, appearance of the installation, material and colouration.

5.8 The Council has 56 days in which to consider RTD applications. If no decision is made within the timeframe (or within an agreed extension of time), the application will be deemed as approved.

5.9 The proposed development due to its siting would not interfere with highway sightlines, or access for road users, and thus would not create a highway safety concern. The development would therefore not impact upon highway safety in accordance with Article 3, paragraph 6 of the GPDO 2015 (as amended) which states that:-

(6) The permission granted by Schedule 2 does not, except in relation to development permitted by Classes A, B, D and E of Part 9 and Class A of Part 18 of that Schedule, authorise any development which requires or involves the formation, laying out or material widening of a means of access to an existing highway which is a trunk road or classified road, or creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons.

## **6. THE PROPOSAL**

6.1 This is an application for determination as to whether the prior approval of the Local Planning Authority will be required for the siting and appearance of electronic communications apparatus in accordance with Class A of Part 16 Schedule 2 of the GPDO 2015 (as amended). As the proposal is for the installation of a new mast and cabinets, it is considered that prior approval is required. An assessment is therefore required as to the acceptability of the siting and appearance of the proposal.

6.2 The proposal comprises the installation of 15m monopole, associated radio-equipment housing and ancillary development .

6.4 The proposed mast would be located on land that is designated as open space.

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



### **Technical justification**

6.6 The supporting information submitted as part of the application states:

- The site is required to provide new 5G coverage for H3G LTE in order to improve coverage within Bracknell Forest. The cell search areas for 5G are extremely constrained with a typical cell radius of approximately 50m meaning that it would not be feasible to site the column outside of this locale.
- Three are in the process of building out the UK's fastest 5G network. Three has 140MHz of 5G spectrum (and 100MHz of it contiguous), which means our service will be much faster and able to handle more data.
- To bring this new technology, H3G will need to provide a mix of upgrades to existing sites and the building of new sites. New sites will be needed for many reasons, including that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded.
- The nature of 5G and the network services it provides, means the equipment and antennas required are quite different to the previous, and existing, service requirements.
- In particular, the nature of the antennas, and the separation required from other items of associated equipment, is such that it cannot utilise some existing structures that provide an installation for another operator, most notably in a street works or highways environment.
- The proposal is required due to acute capacity issues and will facilitate significantly improved 5G in areas that have started to gain this service and newly introduce it to the areas that have not gained this level of connectivity yet
- There is an extremely small, constrained search area for this cell.
- The mast must be in a position where it can be physically constructed.
- The 5G antennas are some 3 times as heavy as previous antennas, while the associated Remote Radio Units also now need to be placed at the top of the pole, thus many street works designs are no longer structurally capable of hosting all the equipment of 2 operators.

### **Site selection process**

6.7 Para 115 of the NPPF states that "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".

6.8 No alternative sites have been considered.

## **7. REPRESENTATIONS RECEIVED**

### **Bracknell Town Council**

7.1 Objects due to the number of objections the Bracknell Town Council Cllrs would like to see a more appropriate location for the mast

### **Other representations**

7.2 11no. objections received which can be summarised as follows:

- Noise and noise pollution
- Long term health implications
- It will be within 20 metres of our & two neighbours back garden
- Highly Visible
- Out of character
- Shouldn't be installed in a built-up area
- Invasion of privacy
- Will be an eyesore
- Blocking driveway

- Highways implications
- Impact on House prices
- Impact on children sleeping

## 8. SUMMARY OF CONSULTATION RESPONSES

### Highways Officer

8.1 No objection

### Tree Officer

8.2 Comments will be provided in the supplementary report.

## 9. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	<b>Development Plan</b>	<b>NPPF</b>
Design	Saved policy EN20 of BFBLP CS7 of the CSDPD	Consistent
Residential amenity	'Saved' policies EN20 and EN25 of the BFBLP	Consistent
Highway Safety	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent
Trees	Saved Policy EN1 of the BFBLP, CS1 of the CSDPD	Consistent
Telecommunications development	Saved Policy SC4 of BFBLP	Consistent
<b>Other publications</b>		
National Planning Policy Framework (NPPF) (2021) Community Infrastructure Levy Charging Schedule (CIL) Bracknell Town Neighbourhood Plan (2021)		

## 10. PLANNING CONSIDERATIONS

10.1 The key issues for consideration relating to the proposed mast and cabinets is whether the siting and appearance of the development is acceptable.

### **i. Principle of development**

10.2 The principle of development is established by the GPDO 2015 (as amended). Consideration is given to any policies in the development plan or the NPPF only in so far as they are relevant to matters of siting and appearance as set out at paragraphs A.2 and A.3 of Class A, Part 16, Schedule 2 of the GPDO 2015 (as amended).

10.3 Under the prior approval process, the Local Planning Authority has 56 days to make and notify its determination on whether prior approval is required as to siting and appearance of the proposed development and to notify the applicant of the decision to give or refuse such approval under Class A, Part 16, Schedule 2 of the GPDO 2015 (as amended).

10.4 There are also local and national policies relating to telecommunications development which are material considerations.

10.5 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."

10.6 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, including next generation mobile technology (such as 5G)".

10.7 Para 113 states "the number of radio and electronic communications mast, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network. 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".

10.8 In May 2021, the Department for Digital, Culture, Media and Sport informed Local Authorities of the importance of digital connectivity to enable people to stay connected and businesses to grow, especially with the COVID-19 pandemic which has highlighted how important it is to have access to reliable, high quality mobile connectivity. The Government is committed to extending mobile network coverage across the UK, including 5G and the correspondence highlights the key role that the planning system plays in delivering the necessary infrastructure.

## **ii. Residential amenity**

10.9 The proposed mast and its associated cabinets due to their siting and height would appear visible to adjoining dwellings. However, given its slimline design, it would not appear unduly intrusive or overbearing to the detriment of the occupiers of surrounding dwellings.

10.10 The mast meets the ICNIRP guidelines for public exposure (health implications are considered further under the heading - v. Health).

10.11 As such, the siting and appearance of the proposed development would not be considered to adversely affect the residential amenities of neighbouring occupiers and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

## **iii. Impact on character and appearance of surrounding area**

10.12 The Bracknell Town Neighbourhood Plan identifies the designation of this open space as a Local Green Space. Policy EV2 states that any proposals for built development on these Local Green Spaces must be consistent with policy for Green Belts and will not be permitted unless it can be clearly demonstrated that it is required to enhance the role and function of that Local Green Space.

10.13 The land takes the form of a grass verge adjacent to the adjoining highways. As such, the siting of the proposed development would not compromise the function of the open space.

### Other considerations relating to siting and appearance

10.14 The proposed mast would cause some visual harm to the area due to its height and siting. However, this degree of harm is not considered unacceptable. The proposed mast would be

viewed in the context of surrounding vertical street furniture, including streetlight columns. It would not appear so unduly cluttered in the streetscene as to result in unacceptable harm to the visual amenities of the surrounding area.

10.15 There are also adjoining trees which would provide a backdrop to the proposed mast. The proposed mast would exceed the height of surrounding streetlight columns and adjoining trees.

10.16 The proposed mast would comprise a single monopole which would be slimline in appearance, with the pole itself between 0.3m and 0.4m wide, with a wider headframe which would contain the antennas which would be mounted within a shroud. The design of this slimline Streetworks monopole would be more appropriate within this location, sited close to the highway and within a residential area.

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

#### **iv. Highway safety**

10.18 Comments will be reported in the supplementary report.

#### **ivv. Tree considerations**

10.19 Comments will be reported in the supplementary report.

#### **Other matters**

#### **v. Health**

10.20 Paragraph 116 of the NPPF states that "local planning authorities must determine applications on planning grounds only. They should not...set health safeguards different from the International Commission guidelines for public exposure.

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

10.22 Public Health England (PHE) is clear that there is no credible evidence of a negative impact of mobile technology on people's health. Central to PHE's advice are the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), which is formally recognised by the World Health Organisation.

10.23 As an ICNIRP certificate accompanies the application, there are no grounds for refusal based on perceived health risks.

#### **vi. Need**

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

10.25 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.

10.26 The technical need for the proposed installation within this location has been demonstrated, along with other sites considered and discounted within the relevant search area.

#### **vii. Community Infrastructure Levy (CIL)**

10.27 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.

10.28 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 An assessment has been made as to whether the prior approval of the Local Planning Authority is required for the siting and appearance of the proposed development which comprises the installation of a 20m high Phase 5 Monopole with cabinets, in accordance with Class A, Part 16, Schedule 2 of the GPDO 2015 (as amended).

11.2 It is concluded that prior approval is required and should be granted subject to no objection from the Highway Authority.

11.3 Prior approval granted by Class A, Part 16, Schedule 2 of the GPDO 2015 (as amended) is subject to conditions set out in paragraphs A.3 (9), A.3 (11) and A.2 (2) which specify the development must:

- Begin no later than the expiration of 5 years beginning with the date on which the approval was given or in any other case, not later than the expiration of 5 years beginning with the date on which the local planning authority received the application;
- Be undertaken in accordance with the details approved or submitted with the application;
- Be removed from the land as soon as reasonably practicable after it is no longer required for electronic communications purposes; and the land restored to its condition before the development took place.

### **12.RECOMMENDATION**

12.1 That prior approval is required and that prior approval is granted for the siting and appearance of the development subject to conditions.

1.This approval is in relation to the following plans;

Drawing title: BRF100/86412/RG6940/A- SITE LOCATION PLAN

Drawing title: BRF100/86412/RG6940/A- PROPOSED SITE PLAN

Drawing title: BRF100/86412/RG6940/A -PROPOSED SIDE ELEVATION

Drawing title: BRF100/86412/RG6940/A- PROPOSED EQUIPMENT SCHEDULE AND APPENDICES

Received 07.07.2022 by the Local Planning Authority

2. The development hereby permitted shall be painted Fir Green RAL 6009.

REASON: In the interests of the visual amenities of the area.

[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

#### Informatives

1. The development shall comply with the National Joint Utilities Group (NJUG) 'Guidelines for the planning, installation, and maintenance of utility services in proximity to trees'.

2. The applicant is advised that consideration should be given to the use of anti-graffiti paint on the proposed cabinets.

3. The siting of the equipment is within a historic sightline and may therefore not receive the support of the Highway Authority and a licence to implement the development.

Details of how to apply for a licence can be found using the link below:

<https://www.bracknell-forest.gov.uk/roads-parking-and-transport/roads/roads-and-street-works-licences>

4. During maintenance visits, the parking of vehicles related to the maintenance of the equipment should be parked lawfully and not be parked on the verges adjacent to the equipment or on the footways. This is to ensure highway safety for all users is maintained.