

2021/1200

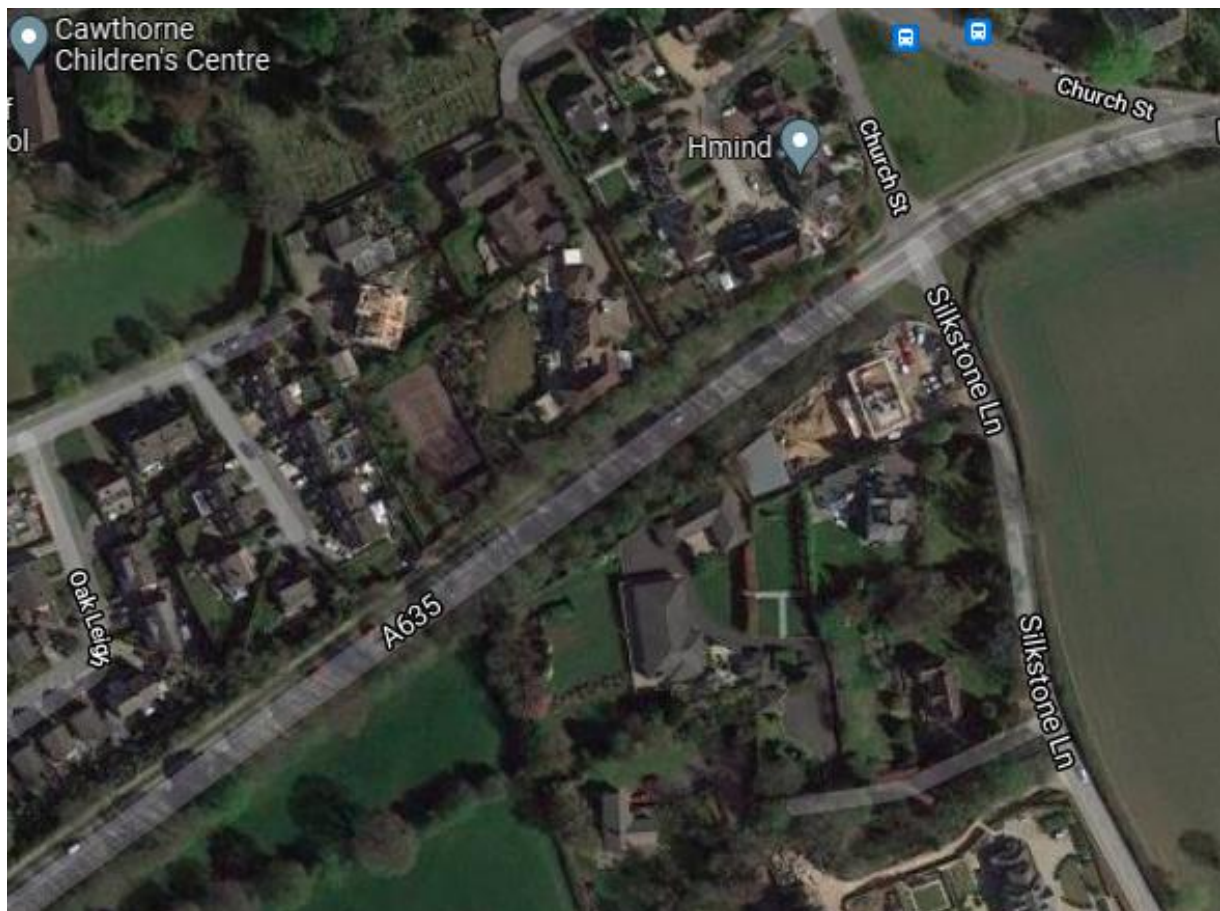
CK Hutchison Networks (UK) Ltd

Proposed 20m high telecommunications monopole and associated equipment (prior approval)

Lane Head Road, Cawthorne, Barnsley, S75 4EX

Description

The site is set off Lane Head Road, the main A635 which runs to the south of the Village of Cawthorne. The proposed mast is to be sited on an area of grassed banking to the rear of properties off St Julien's Mount, which are at a lower level. The Cawthorne Conservation Area boundary is some 80m to the west of the site and 100m to the south.





Proposed Development

The applicant has submitted a Prior Notification application for the erection of a 20m high 5G telecommunications monopole and associated equipment. The proposal would be located off Lane Head Road, Cawthorne. The supporting information submitted with the application states that 'there is an acute need for a new base station to provide effective service coverage and in this case, the height of the proposed street pole is the minimum required to bring the benefits of 5G to this area'.

Biodiversity and Geodiversity and the Cawthorne Village Design Statement adopted Supplementary Planning Document

Development proposals should be designed to minimise any adverse visual impacts on the identified Locally Important Views shown on Map 2A and Map 2B, and the Key Views into and within the conservation area as shown on Map 1 Spatial Analysis of the Conservation Area Appraisal, and reproduced as Map 2C.

Where a development proposal impacts on an identified Locally Important View or Key View, a Landscape and Visual Impact Assessment or similar study should be carried out to ensure that scheme is designed and sited sensitively and appropriately.

Policy C7 Heritage and Design in the Conservation Area

New development within the conservation area should be sensitive to the character and setting of the conservation area, and to other identified nationally significant heritage assets, and to the locally significant heritage assets identified in the non-designated heritage assets list as listed in Policy C8 below.

All buildings, views, green spaces and trees which contribute to the character of the conservation area should be protected and enhanced.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Section 10 – Supporting high quality communications of the NPPF, paragraph 114 states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G and full fibre broadband connections).

Paragraph 115 goes on to state that the number of electronic communications masts, and the site for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. 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.

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.

Paragraph 117 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
- 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

Section 16 – Conserving and enhancing the historic environment of the NPPF, paragraph 189 states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 195 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Consultations

Cawthorne Parish Council – Objects. 'It's appearance would harm the visual amenity of the locality. It is on the approach to a pretty village and is close to dwellings and will dominate the landscape and outlook of the nearby houses. Cawthorne Parish Council suggests that the mast and associated equipment is located on the opposite side of Lane Head Road further away from the houses and in a less noticeable location, slightly hidden by trees. Cawthorne Parish Council also suggests that it is suitably painted to blend in with the surrounding area.'

Pollution Control – No objections

Highways – No objection

Ward Councillors – Cllr Barnard – Concerns raised with regard to visual impact. 'In principle I support the installation of telecoms masts as they are required to support the increasing numbers of mobile devices in use and historically the Penistone Area has suffered from poor signals in many locations due to the topography. However, several residents have raised concerns about the proposed location of this particular mast and are asking why it cannot be

sited on the opposite side of the road, further away from the houses on St. Julian's Mount. There is a grass verge on both sides which is wide enough to accommodate the mast and moving it to the other side would reduce the visual impact on the village.'

Conservation Officer – Objects. 'I would object to the installation of a 20m monopole plus antenna in this location due to the overall visibility and potential harm to the setting of the conservation area. The conservation was extended in March 2020 following re-appraisal to include Kirkwood Close to the east of the proposal site. As a consequence, the 20m pole and antenna would be within 80m to the west of the conservation area boundary and 100m to the south. Given the elevated position and proximity I believe the installation will be relatively visible both from within the area and within its setting and as a result will not conserve or enhance Cawthorne conservation area.'

Representations

Neighbour notification letters have been sent to surrounding properties and the application has been advertised by the way of a site notice. The following comments have been made:-

1 letter of support has been received:-

- Improvement to phone signal in Cawthorne
- The position of the pole is unobtrusive

7 objections have been received:-

- Size and design would be detrimental to visual amenity and not in keeping with the village
- The mast is sited in a sensitive location close to Conservation Area
- Too close to residential properties
- Impact on outlook from home and garden
- The effects on the environment, wildlife, and human health are still not yet fully known
- Smaller masts should be considered
- The site is sloped and a retaining wall would be required
- The excessive height of the pole with a 2.25 metre bulky antenna at its head will totally dominate the village skyline and adjoining house.
- Excavations for the foundations of the mast may cause damage to tree roots
- The equipment and mast would encroach onto the footpath
- More people should have been notified about the application
- The mast is not part of the approved Neighbourhood Development Plan.
- Impact of mast upon highway safety – distraction/potential incidents as a result/the mast could be struck by a car
- The mast is potentially illegal as it breaches current government advice around CNI sites and infrastructure.
- Miriam Cates MP - The Location Plan/Existing Proposed mentions the use of HUAWEI AHP4517R12v06 antennas. The components proposed use might contravene the current government position.

Assessment

Schedule 2, Part 16 of the Town and Country (General Permitted Development) (England) Order 2015 (as amended) sets out the permitted development rights for electronic communications code operator with regards to development for the purpose of the operators electronic communications network.

Class A – electronic communications code operators

Permitted development

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

Development not permitted: ground-based apparatus

A.1-(1) 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—

- (a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;
- (b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;
- (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; or
- (d) in the case of the alteration or replacement of a mast, the mast, excluding any antenna, would when altered or replaced—
 - (i) exceed the greater of the height of the existing mast or a height of—
 - (aa) 25 metres above ground level on unprotected land; or
 - (bb) 20 metres above ground level on article 2(3) land or land which is on a highway; or
 - (ii) together with any antenna support structures on the mast, exceed the width of the existing mast and any antenna support structures on it by more than one third, at any given height.

Development not permitted: radio equipment housing

(9) Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if—

- (a) the development is not ancillary to the use of any other electronic communications apparatus;
- (b) the cumulative volume of such development would exceed 90 cubic metres or, if located on the roof of a building, the cumulative volume of such development would exceed 30 cubic metres; or
- (c) on any article 2(3) land, or on any land which is, or is within, a site of special scientific interest, any single development would exceed 2.5 cubic metres, unless the development is carried out in an emergency.

This application is for prior notification and this assessment relates to whether or not the Council would seek a prior approval application for the proposed works. The proposed complies with these restrictions as set out in Schedule 2, Part 16, Class A of the GPDO (as

amended) and is therefore permitted development, subject to adequate siting and appearance.

The proposal is situated off Lane Head Road to the south of the village of Cawthorne. The proposed mast would be sited within close proximity to the Cawthorne Conservation Area, and due to its overall height and location, it would be visible from the Conservation Area. Policy C7 Heritage and Design in the Conservation Area of the Cawthorne Neighbourhood Development Plan states that 'all buildings, views, green spaces and trees which contribute to the character of the Conservation Area should be protected and enhanced'.

The Conservation Officer has been consulted and objects to the proposal due to the overall visibility and potential harm to the setting of the Conservation Area. The Conservation Area was extended in March 2020 following re-appraisal to include Kirkwood Close to the east of the proposal site. As a consequence, the 20m pole and antenna would be within 80m to the west and 100m to the south of the Conservation Area boundary. Given the elevated position and proximity to the Conservation Area, the installation will be visible and would appear harmful from both from within the area and within its setting. The proposal would not conserve, protect or enhance Cawthorne Conservation Area, contrary to policy HE1 of the Local Plan and Policy C7 of the Cawthorne Neighbourhood Development Plan.

Whilst it is appreciated that the proposal has been designed as one of the thinner options for such 5G telecommunications monopoles, the proposed dwellings immediately adjacent to the site on St Julien's Mount would be sited as little as 20m from the proposed monopole and at a lower level. The monopole is a large structure at 20m in height and would tower over these dwellings. There are other vertical elements within the streetscene such as lampposts and trees however the proposed pole far exceeds the height of these and would result in a dominant and intrusive feature to the detriment of visual amenity and contrary to Local Plan Policies D1 and GD1.

Other matters have been raised by objectors such as the type of mast/equipment submitted, health and safety concerns, however these issues would go beyond the matters of siting and appearance as set out in the GPDO. An ICNIRP certificate has been submitted by the applicants therefore the proposal meets Government health and safety requirements. Highways have also stated that they have no objections from a highway safety point of view.

Given the concerns raised regarding the siting and appearance of the proposal, prior approval is required for the proposal and refused for the following reason.

Recommendation

Prior approval required and refused