2021/0633

William Comery

Proposed 5G telecoms installation: 18m high slim line street pole and associated works including 3no ground based equipment cabinets (Application to determine if prior approval is required)

Laxton Road, New Lodge, Athersley, Barnsley, S71 3DH

Site Description

The application relates to part of an area of greenspace adjacent to Laxton Road, on the Northern edge of Athersley. The surrounding area is fairly open, characterised by a mix of residential and commercial properties, as well as community use facilities to the South and West of the site.



Proposed Development

The applicant has submitted a Prior Notification application for the erection of a 18m high slimline mono pole and associated antenna and cabinets to provide 5G network coverage

Policy Context

Local Plan

The site is located in Urban Fabric.

Policy D1 Design

Policy GD1 General Development

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 Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Para 11 – Presumption in favour of sustainable development

Section 10 - Supporting high quality communications infrastructure

Consultations

Highways – No comments received

Superfast South Yorkshire – No comments received

Ward Councillors – No comments received

Representations

The application was advertised by site notice and neighbour notifications. No comments or representations have been received.

Assessment

Schedule 2, Part 16 of the Town and Country (General Permitted Development) (England) Order 2015 (Amended 2016) sets out the permitted development rights for electronic communications code operator with regards to development for the purpose of the operator's electronic communications network.

Under Class A.1 (1) (c) (i) allows for the installation of a mast up to 25m in height from ground level

Under Class A.1 (8), the installation of radio equipment housing is permitted where the development is ancillary to other electronic communications apparatus and the cubic volume does not exceed 90m3. No fencing is proposed around the cabinets which are all vandal proof.

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 Schedule2, Part 16, Class A of the GPDO (amended 2016) and is therefore permitted development, subject to adequate siting and appearance.

The proposed is not located in a sensitive landscape and whilst it is sited next to the road where it will be visible to passers-by, it is modest in scale and design and will not appear out of place next to other street furniture. It is also sighted away from existing residential properties. There aren't any other masts near the site and so the development will not result in the proliferation of masts or associated cabinets.

The proposed drawings show that the proposed mast is relatively slim line in appearance and not have wide antenna at the top of the mast

The permitted development legislation allows for masts (excluding antenna) up to a height of 25m within unprotected areas. The proposal is some 7m below that. The submission includes a list of alternative sites which were considered and the reasons why they were not chosen, mainly due to prevent interference with pedestrian and vehicle movements. Whilst ideally masts would be sited on nearby tall buildings, no such structures exist in the surrounding area. Furthermore, erecting masts on buildings that are not in control of the telecoms operator could result in issues around access to site for maintenance.

Therefore, the siting and appearance of the mast and electronic communications apparatus to be installed is such that the visual impact of the development on the surrounding area is minimised, so far as practicable, in accordance with the conditions of the GPDO. As such, a refusal based on these grounds could be justified or sustained at appeal. Furthermore, the public benefit of improved permanent 5G network coverage would outweigh the visual impact of the proposed development and therefore is considered acceptable.

Recommendation

Prior Approval – Not Required

1. The development hereby approved shall be carried out strictly in accordance with the approved plans:
    - BAR13804_PLANNING_REV_C – 215 PROPOSED SITE PLAN
    - BAR13804_PLANNING_REV_C – 265 PROPOSED SITE ELEVATION

    And specifications as approved unless required by any other conditions in this permission.
    Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.