

2021/1031

CK Hutchison Networks (UK) Ltd

Proposed 20m high 5G telecommunications street pole and associated equipment (Prior Notification)

Roebuck Hill Street Works, Jump, Barnsley, S74 0JW

Description

The site is set just within the Green Belt boundary, however it is also sited within close proximity to the urban settlement of Jump and close to the A6125 Dearne Valley Parkway. To the south west of the site is a Yorkshire Water development known as Roebuck Hill SRE. To the south east is a housing development known as Roebuck Ridge. The site for the proposed mast is located on an area of hardstanding which was previously part of the highway as can be seen on the aerial photograph below.

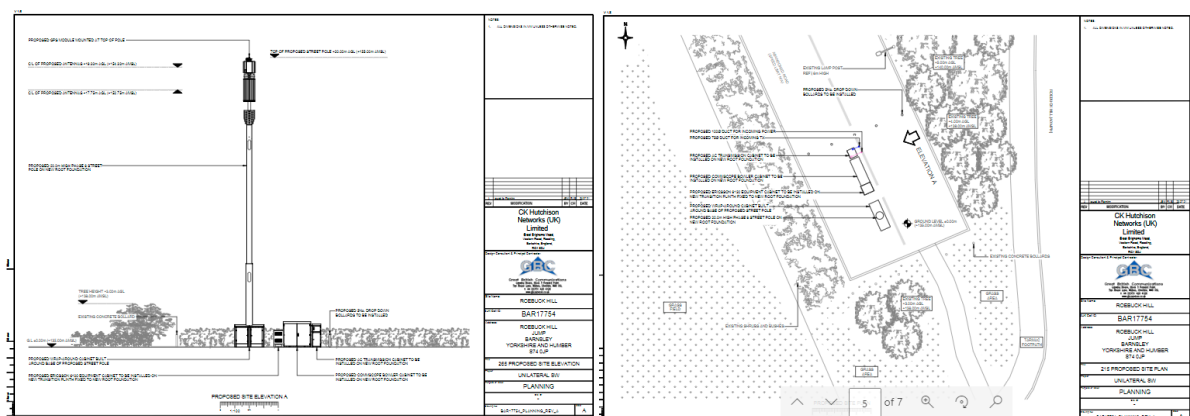






Proposed Development

The applicant has submitted a Prior Notification application for the erection of a 20m high street pole and associated antenna and cabinets to provide 5G network coverage. The proposed installation is an H3G LTE (Three) Phase 8 Monopole/w wrap-around cabinet and 3 no. additional equipment cabinets. The mast is to be located on an area of abandoned hardstanding which was previously part of the highway.



Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

The Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy D1 High Quality Design and Place Making
Policy GD1 General Development
Policy GB1 Protection of Green Belt
Policy E6 Rural Economy

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

Consultations

Highways DC – No objections
Tree Officer – No comments received
Pollution Control – No objections
Enterprising Barnsley – No comments received
Ward Councillors – No comments received
Tree Officer – No comments received

Representations

The application was publicised by way of a site notice, no representations have been received.

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

unservicable 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 site is set within the Green Belt, however the issue of whether the development would be inappropriate in the Green Belt is not required. A full consideration on balance of all the planning merits is not appropriate when looking at a prior notification application as it would go beyond the matters of siting and appearance as set out in the GPDO.

In terms of the siting and appearance, the mast is set just within the Green Belt boundary, however this area is not typical open Green Belt countryside, it is also sited within close proximity to the urban settlement of Jump and close to the A6125 Dearne Valley Parkway

where there are a number of street lamps and signage. The mast put forward is of a 'streetworks' design and will not appear out of place next to other street furniture, which includes a number of streetlights, especially given its slimline appearance. The mast would be visible to passers-by on the main highway through to Jump, however it is considered modest in overall width and design. In addition, the proposal is also sited away from existing residential properties which are set some 70 -80m to the south east on Roebuck Ridge. There are no other masts near the site and so the development will not result in the proliferation of masts or associated cabinets in line with the guidance set within the NPPF. Whilst the site is set within the Green Belt, given its proximity to the urban settlement of Jump and the main Dearne Valley Parkway, the proposal would not have a significant impact upon the openness or visual amenity of the Green Belt in this instance.

In addition to the above, as the proposal is 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 has been submitted and there are no suitable sites available in the area. It is considered the need for the installation of a telecommunications mast and provision of cabinets has been demonstrated and that the applicant has undertaken an adequate analysis of feasible sites and that there is no reasonable possibility of combining the proposal with an existing installation, or of erecting the apparatus on an existing building or structure within the search area. Whilst it is accepted that the proposed mast would be visible to the public from the highway, is considered that it has been sited and designed so as to minimise impact upon the visual amenity, character and appearance of the surrounding area as required by the NPPF.

An ICNIRP certificate has been submitted by the applicants therefore the proposal meets Government health and safety requirements. It is therefore recommended that prior approval be granted subject to recommended conditions.

Recommendation

Prior Approval – Not Required

Conditions

The development hereby approved shall be carried out strictly in accordance with the approved plans.