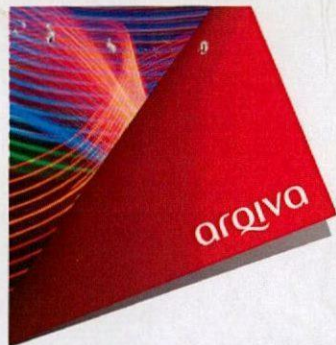




Arqiva

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Corporate Mail Room
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S70 9GG

21ST November 2013



£385.00
700196
Arqiva Ltd
Michael
Smith

Dear Sir

Everything Everywhere Ltd

Galglass Ltd, 321 Hough Lane, Wombwell, Barnsley, South Yorkshire.

PERMITTED DEVELOPMENT – PRIOR APPROVAL APPLICATION

Following the prior consultation in connection with the above the proposals are now finalised, reflecting so far as is practicable the guidance offered.

Thus, on behalf of EE Ltd, we submit herewith an application for a determination as to whether prior approval on detailed siting and appearance is required for the installation of telecommunications apparatus at the above site. This application is made under Part 24 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended. We accordingly enclose the following:

i. Drawing nos. **(49196-02-150/100-MD003 49196-00-010-ML001).**

ii. A cheque in the sum of ~~£495~~ ^{£385} in respect of the appropriate fee.

We indicated in our prior consultation letter that the Traffic Light Rating was green. The prior consultation carried out suggests this rating to be correct and we have not altered it.

The Code of Best Practice on Mobile Phone Network Development clarifies that such applications are not an application for planning permission, but for an authority's determination concerning the requirement for prior approval of siting and appearance. This reflects the fact that the planning permission has already been granted under the GPDO, subject only to the exclusions, limitations and conditions set out therein.

The Part 24 rights have been deliberately excluded or significantly reduced in the areas specified in Article 1 (5), for example, the National Parks and Areas of Outstanding Natural Beauty. The Green Belt has not been included within Article 1 (5) and so the Part 24 rights are meant to apply in their entirety, subject to any limitations or conditions.

There are no limitations or conditions that restrict the use of the Part 24 rights in the Green Belt, over and above the general requirements, including Condition A.3.

Thus, as a matter of law, because the development the subject of the prior approval application has already been granted planning permission under the GPDO, the general Green Belt policy presumption against inappropriate development does not apply.

The issue that is relevant to such applications is whether the siting and appearance of the development might harm the openness of the Green Belt and if so, whether very special circumstances exist to outweigh the degree of harm and justify the approval of those detailed aspects.

The lawful scope of determination is therefore not dissimilar to the approval of reserved matters following the grant of outline planning permission.

Paragraph 82 of the ODPM Code of Best Practice clearly requires the provision of full supporting information and we trust all the supporting material submitted in fulfilment of this is of assistance. However, if you do require any clarification or further information such as that specified at paragraphs 89 or 90 of the ODPM Code, please let us know.

Whilst as a matter of best practice extensive supporting material is submitted the lawful scope of determination remains confined to the detailed siting and appearance of the apparatus proposed.

The permitted development rights exist to facilitate the establishment of modern communications, judged by successive governments to be important to a modern economy and in attaining sustainability objectives.

The permitted development granted subject to the prior approval procedures is similar to the grant of outline planning permission, details on precise siting and appearance being reserved. Paragraph 44 of the National Planning Policy Framework is accordingly clear that permitted development rights should not generally be withdrawn. Moreover, it emphasises that when applications are made under the GPDO the local planning authority may only control the details on siting and appearance and not the development in principle.

Although the principle of development is permitted by the GPDO, the detailed siting and appearance of the development proposed is still reviewed in the Supporting Statement within the context of current guidance, including the development plan and with reference to the operational requirements of the operator and the attempts to accommodate the particular requirement.

Please also take this application and the details contained within it as **due notification under the relevant condition of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003**. In particular, you are given notice of the operator's intention to install the electronic communications apparatus that is described in more detail in the application documentation (including the scale drawings) and to be located as shown on the application plans. As you may know, these general conditions replace those in the operator's licence that was withdrawn by virtue of the Communications Act 2003.

We would be willing to meet to discuss the merits of the application or to assist with any site visits of the site and surrounding area and if that would help, please do not hesitate to be in touch.

Finally your attention is drawn to the 56 day statutory time period associated with an application of this nature upon which detailed advice is given at paragraph 93 onwards of the ODPM Code of Best Practice.

We trust everything is in order, but if you do require any further information or clarification, please do not hesitate to contact our Stephen N Butler

Yours sincerely



Stephen N Butler
Asset Surveyor N2
Technology
Arqiva Ltd

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Everything Everywhere Ltd

**STATEMENT IN SUPPORT
OF
APPLICATION FOR PRIOR APPROVAL
INCORPORATING THE DESIGN AND ACCESS STATEMENT**

November 2013

**Arqiva
Altrincham Trafalgar House,**

Ref: Wombwell Hough Lane, Barnsley.

1. INTRODUCTION

- 1.1 This statement is submitted on behalf of EE Ltd in support of the application for prior approval
- 1.2 The application is in respect of Galglass Ltd Wombwell Hough Lane, Barnsley, South Yorkshire, S73 0LR This site is controlled and managed by Arqiva, a radio site management company.
- 1.3 The development proposed is shown in detail in the drawings submitted. Its principal elements are as follows:
- The redevelopment of the existing 15 metres high radio mast and its replacement with a new radio mast 15 metres high of lattice construction with in the landlords own demise
 - The installation of an array of antennas at a height of x metres on the mast proposed.
 - The installation of ground based radio equipment housing within the compound.
 - The installation of security fencing with gated access.
 - The installation of cabling and associated development.
- 1.4 As necessary any uncontaminated earth and materials excavated will be reused for fill and leveling.
- 1.5 The radio equipment housing will need to be mechanically ventilated to avoid overheating of equipment. The ventilation equipment is only likely to operate during the day and the level of emissions is unlikely to exceed background noise

levels. If however, you consider specific and further noise attenuation measures to be necessary, we would be pleased to discuss these with you.

- 1.6 As the existing radio mast being replaced is operational there will be a need to provide continuity of coverage during the construction period. It will not therefore be possible to decommission the existing mast until the new mast has been constructed and successfully commissioned.
- 1.7 In this statement, which incorporates the design and access statement, we go on to highlight the benefits of the development proposed, to explain the particular need in this case and to demonstrate compliance with planning policy. We also provide information on health and safety and related issues by way of further reassurance.

2. SUSTAINABLE DEVELOPMENT

- 2.1 Mobile communications are a public service that are of great economic and social benefit. A further major benefit is the contribution that such systems make to the attainment of often elusive objectives relating to sustainable development. In view of the statutory duty placed upon local planning authorities under Section 39 of the Planning and Compulsory Purchase Act 2004 and accentuated by the presumption in favour of sustainable development now within the National Planning Policy Framework (NPPF), this contribution merits highlighting.
- 2.2 Having regard to the Government's three key dimensions for sustainable development within the NPPF, mobile communications will in particular assist in the following ways:
 - **An economic role** - modern communications in all their different and emerging forms, including mobile communications, help maintain high and stable levels of economic growth and employment. Hence, the UK Government's continued commitment to the growth and development of modern electronic communications.

- **A social role** - modern communications, including mobile communications, aid social progress, which recognises the needs of everyone. This manifests itself in a number of ways as illustrated by the following examples:
 - Extending economic opportunity through faster and more flexible means of communication capable of handling large volumes of data. This is particularly important to those who live in remote areas, where economic opportunities might be more limited particularly amongst the more socially disadvantaged, with poorer access to transport.
 - Enabling flexible forms of working that provide opportunities to working parents or carers and help them achieve a better work life balance with both family and community benefits.
 - By providing means of communication that improve convenience and enhance personal safety and security. This is especially important to vulnerable groups who may otherwise feel unable to participate in certain activities.
- **An environmental role** - modern communications, including mobile communications, provide effective protection of the environment by helping reduce the need to travel by enabling modern working practices such as greater home working. Such practices reduce the need for travel and can alleviate the pressure for new commercial development such as offices, through more efficient and flexible use of existing accommodation. For the same reasons, modern communications, including mobile communications, help ensure the prudent use of natural resources.

2.3 However to make this important contribution to sustainable development objectives and to provide the range of services demanded by the public, mobile networks need to be supported by an infrastructure of base stations. This is no

different that the railway services, for example, being reliant on the associated infrastructure of lines and stations. In the next section, the particular network requirement from which this application stems is explained.

3. THE OPERATOR'S REQUIREMENT

- 3.1 Annex B of the Code of Best Practice explains how cellular networks operate. In the network rollout information supplied the operator will have explained its anticipated network requirements and the anticipated use of existing sites, including those owned by radio site management companies like Arqiva.
- 3.2 Although the operator's network is mature, new sites are occasionally required for a number of reasons. For example, because the operator is having to quit an existing site, to increase capacity in an area of high demand, to improve existing coverage in terms of quality as well as extent, or perhaps to provide coverage over a new development area, such as housing.
- 3.3 Such requirements have to fit within the operator's existing network. This provides a significant constraint on siting, which if anything is greater with a mature and more dense network. To help illustrate the context of this application, three computer generated coverage plots are submitted. These estimates tend to exaggerate true levels of coverage on the ground, because they only take into account general topography. They do not therefore properly reflect attenuation of radio signal that might occur because of manmade features such as buildings and cuttings, or the effects of natural features such as large trees and woodland. However, they are a useful tool for explaining how the new installation will fit into the operator's network in the wider area.
- 3.4 An operational site at (identify existing site) that forms an integral part of the operator's network has to be decommissioned as a result of the landowner refusing to renew the site agreement. As a consequence, the operator has a need to develop a new base station on an alternative site. To maintain coverage and the service provided to customers in the local area, this has to be done in advance of the existing installation being decommissioned. If this site is not

replaced there would be a resultant gap in the network. This would not be acceptable as it would lead to immediate problems for existing customers in the area, who would then experience dropped calls and difficulties making connections, the most frustrating aspects of mobile communications. The need to replace an existing site in these circumstances is specifically referred to in paragraph 6 of Annex B of the Code.

- 3.5 In addition to the antennas required for cell coverage, there is a requirement for 2No transmission dishes. These dishes require direct line of sight with dishes on corresponding installations in the wider area. They are necessary to provide relay links for other installations and ultimately to link this and other sites with the nearest Mobile Switching Centre (as described in the Glossary in the Code of Best Practice).

4. COMPLIANCE WITH PLANNING POLICY

- 4.1 The relevant planning policy framework that has been taken into account and in part already alluded to is found principally within:

- Documents within the Local Development Framework and / or Local Plan
- National Planning Policy Framework (NPPF)
- The Code of Best Practice on Mobile Phone Network Development

- 4.2 From these documents can be discerned the general policy background that exists for electronic communications development, site specific policies and the key considerations relevant to the siting and design of appropriate electronic communications development.

The General Policy Background

4.3 The general policy background found now within the NPPF can be summarised as follows:

- Government policy is to support high quality communications infrastructure and systems
- Government policy is to keep the inevitable environmental impact associated with electronic communications development to the minimum
- The key way to minimise environmental impact is to avoid the unnecessary proliferation of new radio masts and sites
- The starting point for planning new networks or the expansion of existing networks is therefore to use existing electronic communications sites owned by other operators or radio site management companies, such as Arqiva
- The emphasis on minimising environmental impact is greater according to the sensitivity of the site. The emphasis on exploring and utilising site sharing opportunities is consequently higher in these circumstances

4.4 The development proposed accords with these key policy objectives, which are reflected in the relevant policies at local level and so should be acceptable in principle, the detail being subject to compliance with the site specific policy framework and the other considerations relating to siting and design.

Site Specific Policies

Key Considerations on Siting and Design

- 4.5 The NPPF and the Code of Best Practice set out the approach to be adopted in bringing forward proposals to help minimise environmental impact. This is a consultative approach and one that pays particular regard to siting and design issues. The review below demonstrates compliance with this guidance, which is more detailed and embraces the criteria set out at local level. In addition, we confirm that all due notifications under the Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (the Code Regulations) have been made.
- 4.6 This exercise established that the only electronic communications site suitable and available for use is the subject site. As highlighted above, the use of existing facilities is the starting point in looking for a site, both as a matter of policy and as a statutory requirement under the Code Regulations. In view of this and because an acceptable form of development is possible, the subject site was selected as the only real choice that accords with policy guidance in this important respect and the prior consultation was carried out accordingly. No other sites were identified during the prior consultation process confirming the findings of this exercise and underlining the difficulty of finding sites that strike an appropriate balance between environmental and operational considerations.
- 4.7 The selection of the subject site therefore follows the due process and also complies with the general guidance found in the NPPF. An assessment against relevant factors help demonstrate its acceptability:

There is no change of height to the existing site this sits with the factory area

There is more tree screening in the new position within factory area

Little or no change to the skyline or Horizon

The site is screened with a banking and trees in the new position

4.8 Hence, for all of the above reasons the selection of this site.

Design and Access Statement

- 4.9 The development proposed essentially involves engineering operations and so is exempt from the requirement to provide a design and access statement under Article 8 (1) (b) of The Town and Country Planning (Development Management Procedure) (England) Order 2010. However to assist your determination this section provides a description of the process adopted in the design of the proposals and explains the access considerations. The significant contribution such developments makes towards sustainable development objectives has already been outlined earlier.
- 4.10 The access to the site is to remain unaltered from the existing access that runs from Hough Lane, Wombwell.
- 4.11 Once constructed, the development will be unmanned requiring only periodic visits about once every two to three months for routine maintenance and servicing. Typically an engineer using a four-wheel drive light vehicle will carry this out.
- 4.12 In accordance with all relevant health and safety legislation and guidelines, access to the site will be restricted to authorised personnel and the routine maintenance and servicing of the apparatus will only be carried out by properly trained and qualified staff. The proposal does not therefore give rise to any public issues associated with access.
- 4.13 As regards design, this has been guided by the special technical and operational requirements of the operator's system having proper regard to minimising appearance in accordance with policy and best practice. We expand upon this below.
- 4.14 The Landlord has gained planning permission for an extension to the factory area and required us to move the existing tower site located within the existing factory area.

- 4.15 As a consequence, it is necessary to redevelop the radio tower to facilitate further sharing at this existing and established electronic communications installation.
- 4.16 The particular mast design proposed is for a 15 meter circumstances to ensure an appropriate design solution, having regard to both environmental and operational factors.
- 4.17 In the absence of any obviously better suitable or available alternative sites, the proposal to mast share at this existing site looks to strike the optimum solution, particularly when compared with the alternative of erecting a new radio tower and the development of an associated compound on a site nearby.

- Painted to correspond with the background or to reduce contrast

The equipment cabinets will be painted light grey. If you consider alternative colours to be appropriate please let us know.

- Kept in proportion to the building or structure

The scale of the apparatus is not large and when installed should look proportionate to the structure as a whole.

- Respect architectural style

Within the severe technical constraints the apparatus shall be installed in a manner that respects architectural style. Architecture and its style are about function as well as pure design. The telephone exchange was designed to provide local connections to the electronic communications networks. Mobile phone base stations are a more modern wireless form of telephone exchange, but still require many of the operational attributes present. The development proposed therefore fully reflects the function of the exchange and the apparatus proposed can be viewed as an evolutionary requirement. In similar fashion, for example, a railway station, i.e. development required for another form of communications,

which now may form part of our built heritage still has to evolve in accordance with new technology and safety requirements. In turn these translate into an array of structures that were often never envisaged when first built.

- Have minimal impact above the roofline

The apparatus that projects above the roofline has been kept to the minimum having regard to the technical parameters and design considerations explained above.

- Not be detrimental to views and general skyline

A combination of design, topography and natural and manmade features should help keep any perceived changes to views and the skyline to within acceptable limits. Indeed, within the context of this urban location the attention of the casual observer is likely to remain be focussed more upon the streetscape.

- Avoid creating clutter

The apparatus should not look unduly cluttered and insofar as it might be visible it will be viewed as operational electronic communications equipment compatible and now expected on a building designed and constructed exclusively for electronic communications purposes.

- Use clean lines and maintain symmetry

The apparatus has clean lines and has been sited to maintain symmetry with both the building and its different elements.

- 4.18 In summary, the development proposed is in accordance with all relevant national and local policies, including those that apply specifically and generally. In addition, the development has been properly brought forward in a consultative fashion as advised as a matter of policy and best practice.

5. ICNIRP COMPLIANCE

- 5.1 A certificate confirming compliance with the relevant ICNIRP guidelines on public exposure has been supplied with this application. Accordingly, as explained within the NPPF, it is not necessary to consider further the health aspects and concerns about them, which include the perception of risk.

6. SUMMARY AND CONCLUSIONS

- 6.1 In summary, the application is in respect of electronic communications apparatus necessary to improve a public infrastructure network.
- 6.2 The service provided by the operator is therefore in the public interest and is in very high demand. In the UK there are now more than 70 million subscriptions to mobile networks and mobile services now exceed fixed landlines in terms of customer numbers and usage.
- 6.3 The public interest of the system is clear from the considerable benefits associated. These include:
- Mobile phones can save lives by enabling immediate contact with the emergency services.
 - Mobile phones can be used to summons assistance from the breakdown services in the secure environment of a locked car. This is particularly important to the vulnerable.
 - Mobile phones can help facilitate modern forms of working, including greater homeworking. This can bring about an improved balance between home and working life and reduce travel.
 - Mobile phones can help minimise unnecessary journeys, so increasing productivity and reducing travel demands.

- Mobile phones can help extend business opportunities into peripheral areas. This important benefit will be considerably enhanced by 3G wireless broadband provisions in areas where fixed links will be uneconomic to provide.
 - Mobile phones can bring about far greater personal convenience and security.
- 6.4 The operator's requirement is in the context of network needs associated with a cellular system. These impose particular locational and siting requirements. The technical justification included within this supporting statement clearly demonstrates the need for this apparatus proposed within the context of the operator's surrounding network.
- 6.5 The operator has followed national and local planning policy and best practice guidance in the siting and design of its apparatus. This has included:
- Network planning based upon existing sites, including those controlled by Radio Site Management companies like Arqiva.
 - In the absence of any suitable or available electronic communications site, utilising a suitable alternative location, brought forward in accordance with policy and best practice advice.
 - Consultation in accordance with the Code of Best Practice procedures.
 - An examination of design options to try and minimise potential visual impact.
- 6.6 The proposed antennas will comply with all relevant health and safety requirements and will be compliant with the ICNIRP guidelines. There are no exceptional circumstances in this case and therefore any need to consider health effects and related concerns such as the perception of risk further.
- 6.7 This statement has demonstrated that the proposal is in accordance with local Development Plan policy and national policy set out in the NPPF. In particular it

is a form of development that is specifically encouraged as a matter of principle and in its detail complies with the policy objective of minimising potential environmental impact.

- 6.8 In conclusion, the application merits support and there are no material considerations that indicate otherwise.

Regards

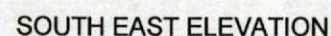
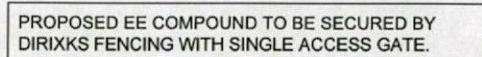
Stephen N Butler



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NOTES



CELL No.		BAR007	
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	PROJ No		
	PROJ No		
3	PROJ No	130609	
	PLANNING ISSUE	13/11/13	HFC JY
2	PROJ No	124910	
	REVISED MASTER	07/11/11	PM
1	PROJ No	950851	
	CEEMA CONVERSION	02/12/09	MF PM
ISS	REVISION	DATE	DRN APP

argiva

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Tel. 01962 823434. Fax. 01962 822378

SITE No 49196
WOMBWELL HOUGH LANE (SS)
GALGLASS LTD
321 HOUGH LANE
WOMBWELL, BARNSELEY
SOUTH YORKSHIRE
S73 0LR

NGR	SE 39000 02500
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OS GRID	439000 402500
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TITLE	ELEVATION	PROPOSED	H3G & EE LTD
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SCALE 1:100

DRAWN	MF	28/10/09
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APPROVED	JY	13/11/13
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DRG No.	Sheet 2 of 2	F
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49196-02-150-MD003

FEINT DETAILS INDICATE LOCATIONS
RESERVED FOR OTHER PROPOSALS
WHICH MAY BE THE SUBJECT OF
SEPARATE APPLICATIONS

NOTES

CELL No. BAR007

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PROJ No			
PROJ No			
3	PROJ No 130609 PLANNING ISSUE	13/11/13	HFC JY
2	PROJ No 124910 REVISED MASTER	07/11/11	PM
1	PROJ No 950851 CEEMA CONVERSION	02/12/09	MF PM
ISS	REVISION	DATE	DRN APP

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S73 0LR

NGR SE 39000 02500

OS GRID 439000 402500

TITLE
SITE PLAN
PROPOSED
H3G & EE LTD

SCALE 1:200

DRAWN	MF	28/10/09
APPROVED	JY	13/11/13

DRG No.	Sheet 1 of 1	Rev
49196-02-100-MD003		3

FEINT DETAILS INDICATE LOCATIONS
RESERVED FOR OTHER PROPOSALS
WHICH MAY BE THE SUBJECT OF
SEPARATE APPLICATIONS

PROPOSED F&L 15m HIGH TOWER ON NEW
CONCRETE REINFORCED BASE (DIM.: 4400x4400mm)

RELOCATED COMPOUND. THE SUBJECT AREA TO
BE RE-BATTERED TO ALLOW THE COMPOUND TO
BE LOCATED AS CLOSE AS PRACTICALLY POSSIBLE
TO THE EXISTING NORTHEAST FENCELINES. IT
WAS NOTED ON SITE THAT THE GROUND WITHIN
THE RE-LOCATION AREA CONSISTS OF MADE UP
GROUND AND IT IS THEREFORE RECOMMENDED
THAT A GEOTECHNICAL SURVEY BE CARRIED OUT
PRIOR TO THE DETAIL DESIGN STAGE OF
CONSTRUCTION TO ESTABLISH THE GROUND
BEARING PRESSURE THAT CAN BE ACHIEVED.

PROPOSED EE COMPOUND TO BE SECURED BY
DIRIKKS FENCING WITH SINGLE ACCESS GATE.

REC SUPPLY/POWER REQUIRMENTS TO BE
CONFIRMED AT THE LATER DATE BY REC QUOTE

ACCESS
GATE

HARDSTAND
AREA

EXISTING ARQIVA SITE, CONSISTING
OF 15m F&L LATTICE TOWER, EE
CABIN, EE METER CABINET AND EE
GANTRY, TO BE RELOCATED TO THE
NORTH EAST CORNER OF THE
GALGLASS COMPOUND.

ACCESS
GATE

15.0m HIGH
TOWER

CABIN 1
EE

STONE WALL

STONE WALL



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NOTES

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O.S. LANDRANGER MAP
No. 111

CONTRACTOR:- CAD SERVICES

CONSULTANT:- ARQIVA
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SO21 2QA

ENGINEER:-

DRAWING
MANAGER:-

PROJ No			
PROJ No			
PROJ No			
PROJ No			
1 PROJ No	130609		
	FIRST ISSUE	13/11/13	JH JY
ISS	REVISION	DATE	DRN APP

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OS GRID 439000 402500

TITLE
LOCATION PLAN

SCALE SEE DRAWING

DRAWN	JH	04/11/13
APPROVED	JY	13/11/13

DRG No.	Sheet 1 of 1	Rev
49196-00-004-ML001		1

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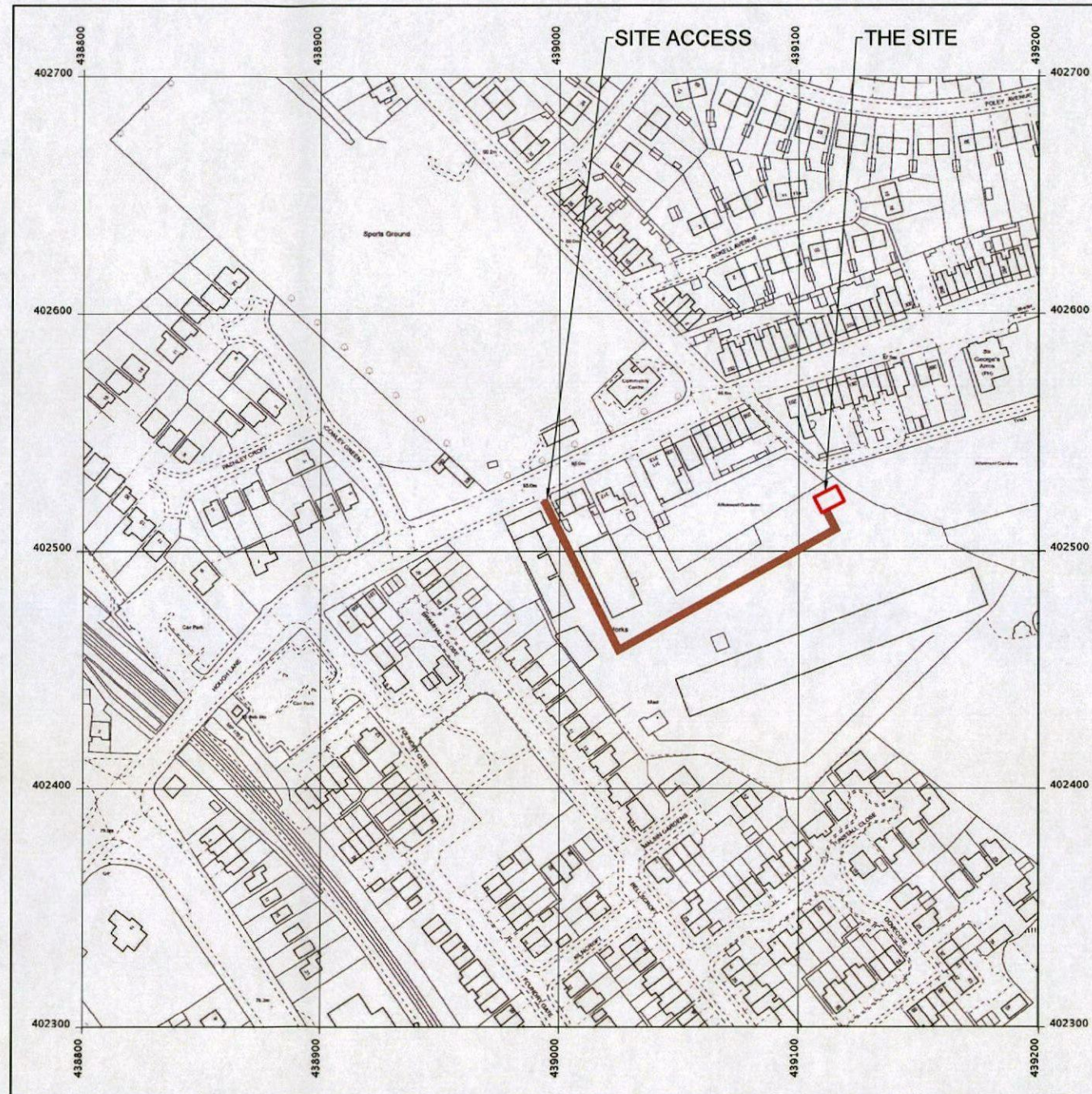
THE SITE



LOCATION PLAN
SCALE 1:50,000

SITE ACCESS

THE SITE



LOCATION PLAN
SCALE 1:2500