

Applicant: CK Hutchison Networks (UK) Ltd

Installation of a 15m high 5G telecommunications monopole supporting 6 no. antennas, 3 no ground based equipment cabinets and ancillary development thereto (Application to determine if prior approval is required)

Site Address: Land at Fish Dam Lane, Monk Bretton, Barnsley, S71 2RD

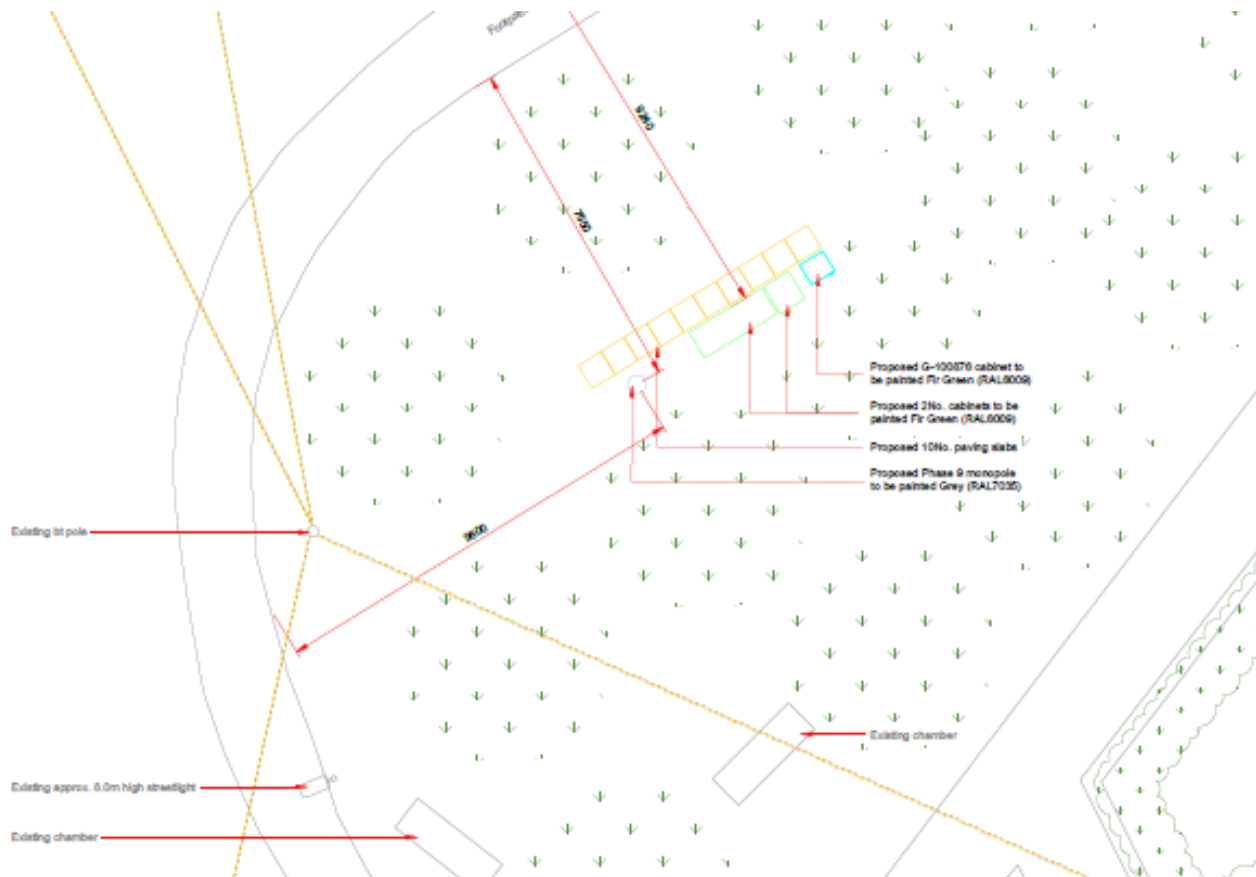
## Site Description

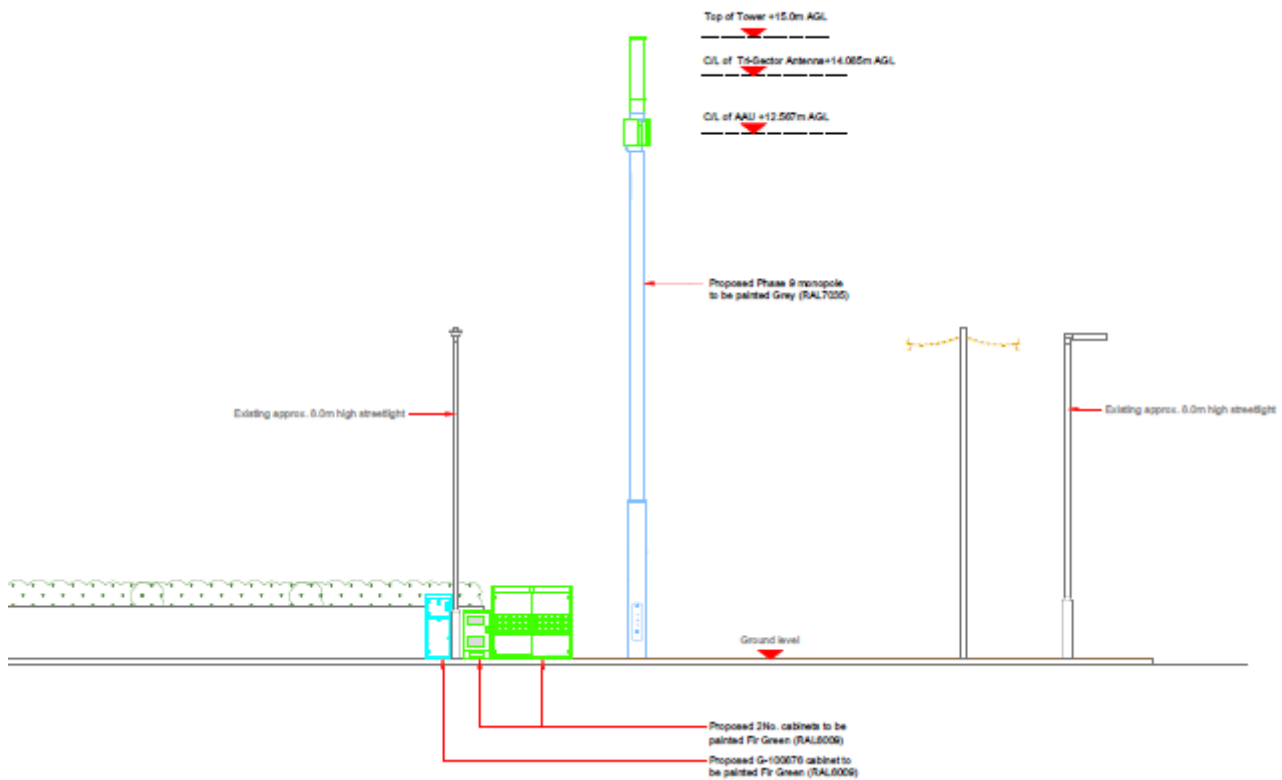
The application site sits on the Corner of Fish Dam Lane and Burton Road, immediately to the East of a roundabout. It is mainly laid to grass and has a path, forming part of the Trans Pennine Trail (TPT) running along the southern boundary. The land slopes down from North to South. There is also a bus stop immediately adjacent to the North of the site on Fish Dam Lane.

The surrounding area is predominantly residential in nature consisting of 2 storey detached, semi detached and terraced houses. There are some non residential uses within close proximity including convenience stores to the North and North West, a funeral home to the South and a petrol filling Station off Burton Road to the South West.

## Proposed Development

This prior notification application is to determine whether prior approval is required, with regards to siting and appearance, for the erection of a 15m high 5G telecommunications monopole supporting 6 no. antennas, 3 no ground based equipment cabinets and ancillary development.





## 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 in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

## Local Plan

The site is located in Urban Fabric.

Policy D1 Design  
Policy GD1 General Development

## NPPF

The paragraphs below are extracted from Chapter 10 'Supporting High Quality Communications' of the National Planning Policy Framework (Feb 2019):

112. 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) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

113. The number of radio and electronic communications masts, and the sites 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.

114. Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:

- a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
- b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

115. 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 and a statement that self-certifies that, when operational, International Commission guidelines will be met.

116. 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.

## **Consultations**

Highways – No objections

Ward Councillors – No comments

## **Representations**

The application was advertised by site notice and neighbour notifications. 2no. objection have been received from neighbouring residents, the main points of concern are;

- Negative impact on Green Space
- Negative impact on visual amenity
- More suited sites in the immediate area

## **Assessment**

Schedule 2, Part 16 of the Town and Country (General Permitted Development) (England) Order 2015 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.1 (c) (ii) allows for the installation of a mast up to 30m above ground level on land which is on a highway.

Under Class A.7 the installation of electronic communications apparatus is permitted if the base area of the structure does not exceed 1.5m<sup>2</sup>

Under Class A.9 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 90m<sup>3</sup>.

In accordance with the above, the proposed development falls under permitted development rights. However, paragraph A.3 (4) states that before beginning the development described in paragraph A.2(3), the developer must apply to the LPA for a determination as to whether prior approval of the authority will be required as to the siting and appearance of the development. This is explored below.

#### Siting and Appearance:

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 proposed monopole is 15m high which is considerably less than what could fall under Part 16 and is also a slimmer design than previous monopoles have been. However, the site is within a very prominent location. The equipment would be sited on an open piece of green space which is mainly laid to grass and within an area of predominantly modest single storey and two storey buildings. It is also adjacent to a relatively open roundabout with 5 arms, each arm having a view of the site.

Due to the surrounding land levels, the site is on a higher level than Burton Road to the South which increases its prominence and there are longer range views of the site from the West from St Helens Way, High Street and Burton Road (South West). There are limited vertical features within the immediate area with the exception of lamp posts and telegraph poles and these are predominantly slender in design with a height circa 8m which is almost half that of the proposed monopole. It is acknowledged that the Ardagh Glass factory is located to the North East of the site between Fish Dam Road and Burton Road and has a number of tall chimneys across the site which exceed the height of the monopole proposed. However, that site is over 350m away and on a lower level, therefore, the existing structures and proposed monopole would not be viewed in the same context.

As such, the proposed 15m high monopole would be very prominent within the street scene and detrimental to visual amenity, contrary to Local Plan Policies D1 and GD1. In addition, the siting of the monopole and the associated cabinets would lead to clutter within this relatively open and exposed area, to the detriment of visual amenity.

Given the comments above, and the concerns raised regarding the siting and appearance of the proposal, prior approval is both required for the proposal and refused.

#### **Recommendation**

#### **Prior Approval required and refused**