

<b>Application Number:</b>	2021/0618/PAT
<b>Site Address:</b>	Tritton Road, Lincoln
<b>Target Date:</b>	18th September 2021
<b>Agent Name:</b>	WHP Telecoms Ltd
<b>Applicant Name:</b>	CK Hutchison Networks (UK) Ltd
<b>Proposal:</b>	Installation of a 20m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.

### **Background - Site Location and Description**

The application is for determination as to whether prior approval is required for the installation of a 20m Phase 8 monopole, C/W wrapround cabinet at the base and associated ancillary works on Tritton Road.

The proposed site is located on the west side of Tritton Road, to the south of the junction with Doddington Road. The site sits within the grass verge, between the footpath/cycleway and the road, positioned to the south of an existing traffic light column. The land forms part of the adopted highway. To the west of the site is the boundary with 127 Doddington Road, a two-storey property, and 35 Wetherby Crescent, a bungalow. The wider area is characterised by further bungalows and two storey properties.

This application is submitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016.

Paragraph A.1(1)(c)(ii) of the GPDO sets out the permitted development right to install masts of up to 20m above ground level on land which is on a highway. The proposed monopole would be 20m in height. The proposed ground-based apparatus would not exceed 15m in height. The siting of the associated cabinets at the bottom of the monopole are therefore permitted development. However, prior approval is required for the monopole in terms of its siting and appearance.

A declaration has been submitted with the application to confirm that the equipment is in line with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines (ICNIRP).

### **Site History**

No relevant site history.

### **Policies Referred to**

- Policy LP26 Design and Amenity
- National Planning Policy Framework

### **Issues**

In determining this prior approval application, the Local Planning Authority can only consider the siting and appearance of the proposed telecommunications equipment.

## **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

## **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	Comments Received

## **Public Consultation Responses**

Name	Address
Miss Angela Bunnett	136 Doddington Road Lincoln Lincolnshire LN6 7HB
Mrs Margaret Collins	35 Wetherby Crescent Lincoln Lincolnshire LN6 8SY
Mr Adrian Mayo	127 Doddington Road Lincoln Lincolnshire LN6 7HE
Mr Ernest Woods	144 Doddington Road Lincoln Lincolnshire LN6 7HF
Mr G Perry	3 Swallow Gardens Doddington Road Lincoln Lincolnshire LN6 7BF
Mrs Diane Millns	132 Doddington Road Lincoln Lincolnshire LN6 7HB
David P Gunby	37 Wetherby Crescent Lincoln Lincolnshire LN6 8SY

Cameron And Elizabeth Macdonald	33 Wetherby Crescent Lincoln Lincolnshire LN6 8SY
Owner/Occupier	127 Doddington Road Lincoln Lincolnshire LN6 7HE
Miss Emily Luxton	1 Swallowbeck Court Lincoln Lincolnshire LN6 7HS
Mr David Garner	130 Doddington Road Lincoln Lincolnshire LN6 7HB

## **Consideration**

### **General Permitted Development Order**

Part 16 of the GPDO permits:

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.

Part A.3 (4) of the Order states that:

Before beginning the development described in paragraph A.2(3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.

### **National Planning Policy Framework**

Section 10 of the National Planning Policy Framework (NPPF) outlines the Government's general approach is to facilitate the growth of new and existing communications infrastructure. Specifically, paragraph 114 advises that 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.

Paragraph 115 advises that 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.

Furthermore, paragraph 117 advises that for a new mast or base station, the application should be accompanied by 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.

Paragraph 130 advises that developments should be sympathetic to local character, including the surrounding built environment.

#### Local Policy

LP26 states that development should respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and form. All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place.

#### Proposed Development

The application advises that there is a requirement to upgrade the CK Hutchison Networks (UK) Ltd (Three) network to provide improved coverage and capacity, most notably in relation to 5G services. It is noted that the nature of 5G and the network services it provides means the equipment and antennas required are quite different to the previous, and existing, service requirements. New sites will therefore be needed for many reasons, including that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded.

The application includes details of alternative site options that have been considered. It also specifies the reasons they have been discounted; due to the location of underground services, that the required coverage would not be achieved and the proximity to residential properties. It is concluded that the only viable solution is the one being proposed. The application specifies that the detailed siting and design has been carefully considered to ensure that the scheme has a limited impact on the locality and general visual amenity.

Objections have been received from properties on Wetherby Crescent, Doddington Road, Swallow Gardens and Swallowbeck Court. The objections cite concerns relating to the proposed monopole being too close to houses and bungalows which would be imposing to these properties and their gardens. Some of the objections note that the application suggests that other sites in residential areas have been discounted due to the proximity to residential properties, and question why this site is any different. The objections also state

that the monopole is over double the height of the existing street furniture and would therefore be a dominant feature, an eyesore and out of keeping.

The objections also raise concerns in relation to highway safety due to the cabinets impacting on visibility for pedestrians and road users. Officers would note that the mobile phone industry has permitted development rights to place equipment in the public highway. It is also noted that the Lincolnshire County Council as Local Highway Authority has raised no objections to the application.

Other objections are raised regarding health concerns. However, officers cannot consider this if, as set out in the NPPF, the proposal meets the International Commission guidelines for public exposure. This is satisfied as the application is accompanied by the necessary ICNIRP declaration.

### Consideration of the Siting and Appearance

The site is located on one of the main approaches into the city although the area is predominantly residential in character. The site is highly visible given its location close to the Tritton Road/Doddington Road junction, with open views towards the site available from the north, east and south.

The proposal would be in the highway verge adjacent to the road, in between a traffic light column and a street light column. The plans submitted as part of the application identify the height of the existing streetlight as being approximately 10m. The plan also identifies the height of the trees within the neighbouring gardens sitting at an approximate height of 5m.

The proposed monopole would measure 20m in height. This would be far taller than the existing streetlight and significantly higher than the nearby two storey dwelling and bungalow. The height of the monopole combined with its width and a bulky and distinctive headframe would be an obtrusive, prominent, dominant, and imposing addition in the street scene. This impact would be exacerbated by the openness of the junction and highly visible location of the site.

The siting of the monopole is therefore considered to be inappropriate as, by reason of its height, size, and design, would not relate well to the site and surroundings. It would therefore not be sympathetic to local character or the built environment.

The need for telecommunications equipment is not disputed and officers acknowledge the public benefit of the installation in terms of the enhancement of the telecommunications network and its contribution to economic growth, as required by the NPPF. However, it is not considered that these points outweigh the aforementioned harm to the established character and appearance of the area. Therefore, prior approval is required and refused.

### **Application Negotiated either at Pre-Application or During Process of Application**

No.

### **Financial Implications**

None.

### **Legal Implications**

None.

### **Equality Implications**

None.

### **Conclusion**

The siting and appearance of the proposed monopole would have a harmful visual impact on the character and appearance of the area by reason of its height, size, design, and position, which is exacerbated by the site's highly visible location. It would appear as an obtrusive, prominent, dominant, and imposing addition in the street scene, contrary to Central Lincolnshire Local Plan Policy LP26 and paragraph 130 of the National Planning Policy Framework.

### **Application Determined within Target Date**

Yes.

### **Recommendation**

That Prior Approval is required, and is refused.