

<b>Application Number:</b>	2021/0700/PAT
<b>Site Address:</b>	Street Record, Lincoln Road, Lincoln
<b>Target Date:</b>	20th October 2021
<b>Agent Name:</b>	Dot Surveying
<b>Applicant Name:</b>	CK Hutchison Networks (UK) Ltd
<b>Proposal:</b>	Installation of a 15m high 'slim line' phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works.

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

The proposed site is located on the north side of Lincoln Road, the site sits within the grass verge, at the back edge of the footpath/cycleway from the road. To the north of the site characterised by two single storey commercial premises with open land surrounding, the Flavian Road Estate is located approximately 85m beyond. To the south of the site, is a mixture of bungalows and two storey properties located a minimum of 35m from the site.

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 15m 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.

Due to the fixed 56 days in which Local Authorities must inform mast operators of its' decision on whether prior approval is required for siting and appearance and to let the operator know of its decision, it has not been possible on this occasion for this prior approval to be presented at committee before determination. However, this report details for the considerations taken during the application.

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.

### **Case Officer Site Visit**

Undertaken on 16th September 2021.

### **Policies Referred to**

- 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
Environmental Health	Comments Received
Shane Harrison	No Response Received
Lee George	No Response Received

## **Public Consultation Responses**

Name	Address
Tom Nickell	Ashcroft, Lincoln Road Lincoln Road Lincoln LN2 2NF

## **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.

An objection has been received from the occupants of a property on Lincoln Road, citing concerns relating to the proposed monopole being too close to their house. 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 proposed monopole which is being applied for would be 15 metres high which is below the maximum height allowed under the permitted development process. The proposed height of the mast is required to enable 5G, which the applicant states is more prone to shadowing effect from adjacent buildings, structures and tree canopies. The height needs to avoid the obstacles.

The proposed monopole and associated equipment would be sited on to the grass verge near to the car park that serves the gym, the proposal would not be obstructive to either pedestrians or motorists. There are various items of street furniture adjacent to the site along this section of Lincoln Road and Nettleham Road including street lighting, telegraph poles, road signage and street trees. It is considered the location of the telecommunications equipment to be suitable for such a development.

It is acknowledged that the monopole would be of a relatively significant height and whilst it would have a noticeable impact on visual character of the area; when this impact was balanced against the benefits of providing the enhanced technology and capacity of 5G then it was considered, in this particular case, that the proposal was acceptable. The proposed mast is a standard design, widening at the top to accommodate the antennae.

The telecommunications equipment would not result in any excessive visual clutter within the street. The proposal would not have a harmful impact upon the visual quality of the wider street scene and therefore there are no grounds upon which to resist such a development.

### **Conclusion**

It was considered that the siting and appearance of the proposed monopole would not have a harmful visual impact on the character and appearance of the area, in accordance with the Central Lincolnshire Local Plan Policy LP26 and paragraph 130 of the National Planning Policy Framework. Therefore, the application was determined under delegated powers by the Assistant Director.

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

Yes.

## **Recommendation**

That Councillors note the content of the report.

## **Table A**

The above recommendation has been made in accordance with the submitted drawings identified below:

Drawing No.	Version	Drawing Type	Date Received
LCN17585_PLANNING_R EV_A		Plans - Proposed	24th August 2021