

Reference:	23/00364/TEL	
Application Type:	Prior Notification Telecommunications	
Ward:	St Laurence	
Proposal:	Install 15m slim-line monopole, supporting 6 no. antennas, 3 no. equipment cabinets and associated ancillary works	
Address:	Footpath Outside Eastwood Pre School Eastwood, District Community Centre, Western Approaches, Eastwood, SS2 6XY	
Applicant:	CK Hutchinson Networks (UK) Ltd	
Agent:	Mr Alan Osborne of WHP Telecoms Limited	
Consultation Expiry:	30th March 2023	
Expiry Date:	12th April 2023	
Case Officer:	Hayley Thompson	
Plan Nos:	SOS26197_M001 002 Site location plan Revision A, SOS26197_M001 100 Existing site plan Revision A, SOS26197_M001 150 Existing elevation Revision A, SOS26197_M001 210 Proposed site plan Revision A, SOS26197_M001 260 Proposed elevation Revision A	
Supporting Documents	GSMA 5G, EMF Exposure and Safety dated 2020, Department for Digital, Culture, Media and Sport document dated 7th March 2019, Department for Digital, Culture, Media and Sport document dated 24th May 2021, Mobile UK: 5G Masts and Health, Three (UK) highways letter dated 24th February 2023, Three (UK) notification letter dated 27th February 2023, Three (UK) civil aviation authority letter dated 27th February 2023, Supplementary information document, Declaration of Conformity with ICNIRP Public Exposure Guidelines, HM Government 5G mobile technology: a guide, The Institution of Engineering and Technology guide for policy makers and local planning authorities 2nd edition	
Recommendation:	PRIOR APPROVAL REQUIRED AND REFUSED	



1 Site and Surroundings

- 1.1 The application site is located on a narrow grass verge adjacent to a public footpath on the south side of Western Approaches. The immediate surrounding area is predominantly residential in nature with some wider commercial use to the east of the site. Eastwood Community Centre is located 7m to the south east of the site and Scott Park GP Surgery some 16m to the west of the site. To the north of the site is Repton Green and to the west is Scotts Park which are designated protected Green Spaces. Limited instances of street furniture are noted in the surrounding area which comprises conventionally scaled street signage and lighting poles.
- 1.2 The application site has no other specific policy designations.

2 The Proposal

- 2.1 Prior Approval is sought for the installation of a 15m high slimline telecommunications mast supporting 6no. antennas and 3no. additional ancillary equipment cabinets. The mast and cabinets would be finished externally in the colour 'grey steel'.
- 2.2 The equipment cabinets would be located to the east of the mast, measuring up to 1.75m high, up to 0.7m deep and together would occupy an area of some 3.5m in width.
- 2.3 The application was called into DCC by Cllr Buckley and, on a qualified basis, by Cllr Cowan.

3 Relevant Planning History

- 3.1 None.

4 Representation Summary

Highways

- 4.1 Comments awaited at time of report preparation. An update will be given in the Supplementary Document.

Environmental Health

- 4.2 No objection subject to conditions.

London Southend Airport

- 4.3 Comments: Our calculations show that, the proposed development would conflict with safeguarding criteria unless any planning permission granted is subject to the following conditions:

- The proposed development must be no taller than surrounding existing structures / trees etc.
- If the proposed development is taller a third party instrument flight procedure assessment will be required at the cost of the developer

We will therefore need to **object** to these proposals unless the above mentioned condition/s is / are applied to any planning permission.

Public Consultation

- 4.4 A site notice was displayed and 22 neighbours were individually notified. At the time of report preparation three letters of representation have been received. Summary of objections:

- There are other more suitable locations for the mast
- Concerns that the mast will be close to a playground
- Health and safety concerns for children playing
- The area is a busy school route
- Reduction of pavement space
- Detrimental impact on the pre-school and community
- There are nearby nesting birds

[**Officer Comment:** All relevant planning considerations have been assessed within the appraisal section of the report. Other than as reflected in the reasons for refusal as outlined in the recommendation section of this report, the remaining points of objection are not found to represent justifiable reasons for refusing planning permission in the circumstance of this case. Should any further representations be received an update will be given in the Supplementary Document.]

5 Planning Policy Summary

- 5.1 Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015): Section 3 and Schedule 2, Part 16, Class A (the "Class A").
- 5.2 The National Planning Policy Framework (NPPF) (2021)
- 5.3 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2021)

- 5.4 Core Strategy (2007): Policy CP4 (Environment and Urban Renaissance)
- 5.5 Development Management Document (2015): Policy DM1 (Design Quality)
- 5.6 Southend-on-Sea Design and Townscape Guide (2009)

6 Appraisal

Principle of Development

6.1 Part 16 of the GPDO (2015) states :

A.1 Development not permitted: ground-based apparatus

(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) 30 metres above ground level on unprotected land; or

(ii) 25 metres above ground level on article 2(3) land or land which is on a highway;

(d) in the case of the alteration or replacement of a mast, the height of the mast, excluding any antenna, would when altered or replaced exceed the greater of the height of the existing mast or a height of—

(i) 30 metres above ground level on unprotected land; or

(ii) 25 metres above ground level on article 2(3) land or land which is on a highway; or

(e) in the case of the alteration or replacement of a mast—

(i) the mast is on any land which is, or is within, a site of special scientific interest; and

(ii) the mast would, when altered or replaced, exceed the original width of the mast by more than one third.

6.2 The proposal would not be taller than 25m in height. Therefore, the proposal can be considered under the Prior Approval procedure in principle.

Siting and Appearance

6.3 The NPPF (2021) in Paragraph 114 states: *“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.”*

6.4 Paragraph 115 continues: *“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.”

- 6.5 The Southend-on-Sea Design and Townscape Guide states that telecommunication masts can appear obtrusive but notes that for operational reasons must be located in positions that give a direct clear line of sight between antennae. The Council’s Design and Townscape Guide also states that antennae disguised as street furniture tend to be the least obtrusive. However, care should be taken to ensure that they match, in terms of style, height and colour, the other street furniture in the vicinity.
- 6.6 The proposed development would constitute a 15m high mast with 3no. ancillary cabinets. The site is prominently sited on a narrow green verge that is adjacent to a public footpath. The surrounding area is characterised by residential dwellings to the north, commercial uses to the east and community use buildings, such as Eastwood Community Centre, primarily in use as a pre-school, to the south east and Scott Park GP Surgery to the west. The mast and associated cabinets, given their height and position would be highly visible in the streetscene and in an area exposed to public vistas.
- 6.7 In terms of appearance, the surrounding area contains street furniture of varying types, mostly comprising lamp columns and street furniture such as bus stops and highways signage, and it is noted that the proposed height of the mast would be significantly taller and larger than any existing street furniture. The surrounding area comprises two-storey dwellings of similar scale, form and design lending the immediate surroundings a modestly scaled residential character. Eastwood Community Centre and Scott Park GP Surgery are modestly scaled single storey buildings. The proposed development would therefore be significantly taller than nearby dwellings and buildings. The immediate area has examples of trees of varying heights, including some measuring up to 8m in height, however the position of the proposed mast is not considered to be located within an area that is characterised by strong or tall tree cover. Furthermore, the appearance of the mast would, as a result of its top mounted apparatus, be bulky and cluttered and its proposed grey colour would further highlight its prominence. On this basis, the proposed mast is considered to result in a prominent, visually dominant and incongruous development to the significant detriment of the character and appearance of the area.
- 6.8 It is proposed to erect 3no. equipment cabinets to the east of the mast. The Council’s design guidance indicates that cabinets must be carefully considered so as to minimise the visual impact, must be powder coated a dark colour and screened with landscaping where appropriate. The proposal is to colour the steel cabinets in light grey, which would starkly contrast with the green grass verges and surrounding trees including Repton Green immediately north of the site which is a designated Green Space.
- 6.9 Given the height and width of the proposed cabinets, they would not appear as discreet features on the grass verge location and cumulatively, the cabinets would appear as bulky additions to the streetscene, introducing significant visual clutter into this residential setting. As such, it is considered the proposed cabinets, on account of their size and scale would, in themselves, be unacceptable in terms of their size, siting and appearance representing obtrusive features within the public domain.
- 6.10 The applicant states there is a requirement to upgrade the network in the area to provide

improved coverage and capacity, most notably in relation to 5G services. The applicant advises that options are limited and that this site is deemed to be the only and most appropriate location for the development. A coverage map has been provided confirming the area where existing coverage does not meet service requirements and identifying a target search area. This main area around Western approaches is considered by the applicant to be the only viable generation location for the telecommunications equipment given the greater blend of mixed use land and type. It is noted that the areas beyond the site in each direction are residential in nature with narrow pavements which have been discounted.

- 6.11 The constraints of the search area are noted and the applicant's explanation as to why this site has been chosen has been taken carefully into consideration and weighed in the balance. The public benefits of the proposal are also noted, including the provision of improved telecommunications services and increased 5G coverage. However, it is considered that, given the significant harm identified to the visual amenity of the area as a result of the impact of the proposed mast and cabinets, the benefits of the proposal would not outweigh the significant harm identified in this instance.
- 6.12 As such, it is considered that the siting and appearance of the mast and cabinets are unacceptable and would result in a prominent, visually dominant and incongruous development that would significantly harm the character, appearance and visual amenity of the area. The public benefits of the proposal including the increased service and increased 5G coverage do not outweigh that significant harm identified in this respect, even when taking account of the applicant's submissions regarding the alternative sites for this proposal.
- 6.13 The proposal also fails to satisfy London Southend Airport (LSA)'s requirements such that they object on the basis of airport safety.

Health Concerns

- 6.14 The application is accompanied by a Declaration of Conformity with ICNIRP Public Exposure Guidelines. In light of this and guidance contained within the NPPF, the Local Planning Authority should not seek to set different health safeguards and should determine this application on planning grounds only.

Equality and Diversity Issues

- 6.15 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

7 Conclusion

- 7.1 The proposed telecommunications mast and cabinets are considered to be of a height, scale, siting and appearance that would be prominent and would appear as visually dominant features which would significantly harm the character, appearance and visual amenity of the area. The siting of the development is not demonstrated as acceptable on

public safety grounds, in regard to London Southend Airport, and this could not be reasonably overcome through the use of a planning condition within the scope of this application. The benefits of the proposal are noted and have been weighed in the balance including that this proposal would contribute to telecommunications provision in the area. However, the benefits of the proposal would not outweigh the significant harm identified and the proposal is therefore recommended for refusal.

8 Recommendation

8.1 Members are recommended to:

REFUSE PRIOR APPROVAL for the following reason:

01 The proposed telecommunications mast would, by reason of its height, siting and appearance constitute a prominent and visually dominant feature in the streetscene resulting in significant harm to the residential character, appearance and visual amenities of the surrounding area. The cumulative effect of the equipment cabinets by reason of their size and scale and position and exacerbated by their colour would detrimentally add to visual clutter at the application site to the detriment of the character, appearance and visual amenities of the surrounding area. The benefits of the proposal do not outweigh the significant harm identified. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) Policies DM1 and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed mast would not have a detrimental impact on public safety due to its height and position relative to London Southend Airport. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4 and Development Management Document (2015) Policy DM1.