

Site Address:	Sinah Lane, north of 2 St Catherines Road, Hayling Island, PO11 0HE		
Proposal:	Prior Approval application for installation of 15m monopole supporting 6 no. antennas and 2 no. transmission dishes, 4 no. equipment cabinets and development works ancillary thereto.		
Application No:	APP/21/00296	Expiry Date:	24/05/2021
Applicant:	Hutchison 3G UK Ltd		
Agent:	Chris Dalby Sinclair Dalby Ltd	Case Officer:	Graham Speller
Ward:	Hayling West		

1 Site Description

The surrounding area is residential in character.

There is no relevant planning history.

The application proposes a 15m monopole supporting 6 no. antennas and 2 no. transmission dishes, 4 no. equipment cabinets and development works ancillary thereto.

The applicant states that these are required to link the site into the wider network.

The application is submitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

A declaration of conformity has been submitted with the application confirming compliance with ICNIRP guidelines.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

Submission Version Havant Local Plan

IN1 (Effective provision of infrastructure)

E1* (High quality design)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Clare Satchwell - Hayling East

No comments received

Councillor I Scott Hayling West

No comments received

Councillor Joanne Thomas

No comments received

Department of Trade and Industry

No comments received

Hampshire Highways

Having reviewed the documentation submitted in support of the above planning application Highways Development Planning is satisfied that the proposal would have no detrimental impact on highway safety or operation. A recommendation of no objection would therefore be given.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 11

Number of site notices: At least one site notice exists.

Statutory advertisement: Not applicable.

Number of representations received: 35

A total of 31 objections have been received raising the following concerns:

- Very industrial appearance
- Not appropriate for an exposed location in a purely residential area
- No shielding to reduce impact
- Has new housing development site been considered as a possible site
- Totally out of scale with the existing dwellings and street furniture
- Would be highly incongruous intrusion in views along Sinah Lane, Park Road and from St Catherine Road
- Would have a significant detrimental impact on the visual amenity of the area
- Would be overwhelming in views in all directions, inescapably dominant and/or unpleasantly encroaching
- Would dominate the local skyline
- Would have a significant detrimental impact on the visual amenity of the area
- If Council raise no objection serious consideration should be given to the use of a tree mast
- Health risks of such a mast have not yet been researched enough to justify its deployment
- Applicant has failed to make a sufficiently strong case for the requirement of this specific mobile phone mast
- Applicant has not shown convincingly clear cut reasons as to why the proposed location is the only one available
- Mast has very limited range
- A complete eyesore and should be more suitable sited away from homes
- Too close to residential properties
- At 15 metres this mast is totally out of keeping in such a residential area
- At 15m the height of the mast will tower over the local houses/bungalows while the cabinets are large, imposing structures
- This industrial comms mast would be better positioned near the industrial sites at Furniss Way
- It is extremely close to residential properties and will be a 15m tall sore thumb towering over properties in this very pretty residential area
- Construction is very dominant as houses in the area are bungalows
- The mast is not slim and unfussy design nor does it minimise the visual impact on the surrounding area to an acceptable level
- Will reduce the value of houses in the immediate vicinity
- Will create a precedent
- A residential visual amenity assessment should be conducted

One letter of support has been received

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Background

- (iii) Impact upon the character and appearance of the area
- (iv) Impact upon residential amenity

(i) Principle of development

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) established the principle of proposals of this nature provided that certain criteria would be met and subject to the local planning authority determining (a) whether Prior Approval is required for the siting and appearance of the proposal and, if so, (b) whether such Prior Approval should be granted or refused.

In this case, having reviewed the application, the local planning authority has determined that prior approval is required in this instance for (a) the siting and appearance of the proposed development.

(ii) Background

The importance of mobile technology in the UK and its contribution to the sustainability agenda is recognised by planning legislation and national policy and to facilitate the growth of new and existing telecommunications systems, and operators have obligations to meet customer demands for improved quality of service. Additionally, the National Planning Policy Framework places emphasis on encouraging the continued roll out of high speed digital infrastructure networks, of which the proposal would form a part.

In a recent Electronic Communications Code consultation (Published 27 January 2021) the Ministerial foreword, states, inter alia, that the Government is committed to making the UK a global leader in digital connectivity and ensuring that reliable, long lasting future proof gigabit capable broadband and 5G networks are made widely available across the UK as soon as possible.

It further states that the COVID-19 pandemic has highlighted how important it is to have robust networks in place.

The Government is working with industry to target a minimum of 85% gigabit-capable coverage by 2025 and aiming to ensure that 95% of the UK's geographical landmass has 4G coverage from at least one mobile operator by 2025 and that the majority of the UK population has 5G coverage by 2027.

The Government is also implementing the recommendations made in its Future Telecoms Infrastructure Review published in 2018.

In addition to the above, the Government has recently published a consultation on changes to permitted development rights for electronic communications infrastructure (Published 19 April 2019) at how to implement the proposals consulted on in August 2019 to support the deployment of 5G and extend mobile coverage.

The Ministerial foreword to this consultation document, states, inter alia, that digital connectivity is now, more than ever, vital to enable people to stay connected and business to grow. The demand for mobile data in the UK is increasing rapidly, and the COVID-19 pandemic has highlighted how important it is that everyone has access to reliable, high quality mobile connectivity.

The Ministerial foreword comments that the case for 5G is compelling and that it will provide faster, more responsive and more reliable connections than ever before. Further, that the planning system plays a key role in delivering the infrastructure that is needed as households and businesses become increasingly reliant on mobile connectivity.

This latest consultation follows the previous consultation on the principles of reforms to permitted development rights to support 5G deployment and extend mobile coverage. The consultation is concerned with the details of the proposed changes and at the heart of these changes the Government states that there is a recognition that there needs to be a balance of the benefits of improved connectivity with local control and environmental protections.

Other material considerations are the Governments Emergency Services Networks: overview guidance that was updated on 18 February 2021.

This guidance comments that the Home Office is leading a cross-government programme to deliver the new Emergency Services Network (ESN) critical communications system. This will replace the current Airwave service used by the emergency services in Great Britain (England, Wales and Scotland) and transform how they operate.

It comments that ESN will transmit fast, safe and secure voice, video and data across the 4G network and give first responders immediate access to life saving data, images and information in live situations and emergencies on the frontline. Further it comments that investment in ESN will also mean improvements to 4G network coverage, which will enable 999 calls to be made securely from mobile phones in some of the most remote and rural parts of Great Britain.

In addition, it comments that the technology that supports Airwave, the network currently used by the emergency services, is reaching the end of its lifetime. While reliable and fit for purpose for the immediate future, its limited capacity means it cannot match the opportunities offered by new mobile critical communications technology.

ESN's high-speed mobile technology will mean communication between the emergency services will take priority over all other network traffic, even at peak times in busy urban locations. It will mean the emergency services and other responders can share vital data, information and expertise quickly and securely from the frontline when it is needed most.

Users for ESN include the police, fire and rescue and ambulance services as well as other users stretching from local authorities and utility services to first responders like inshore rescue.

It further comments that there are 300,000 frontline emergency service users who will depend on ESN, using handheld devices or operating equipment in 45,000 vehicles, 66 aircraft and more than 100 control rooms.

In total, more than 950 masts are being constructed and about 19,000 sites are being upgraded to facilitate the coverage needed for ESN across Great Britain.

It is also the case that 5G wavelengths have a much shorter range than 4G and an increased susceptibility to obstructions which can reduce the site selection for such

development and increased requirement for more masts.

(iii) Impact upon the character and appearance of the area

Whilst the recent Government consultations are considered to be material considerations, as they are only at consultation stage they carry little weight. However, some of the wording within the permitted development changes consultation document is of interest in terms of the direction of travel that the Government wishes to pursue in order to roll out improved connectivity.

In particular, the document comments, inter alia, that the Government considers that allowing monopoles of up to 15 metres high to be deployed without the need for prior approval would incentivise the use of more slimline, aesthetically pleasing mast designs, and support the Governments ambitions for 5G deployment. It further comments that monopoles can support a range of mobile technologies, including 4G and 5G, and can utilise camouflaging design features such as shrouds to protect visual amenity. In addition, it comments that these types of mast can be similar in appearance to the telegraph poles used for the deployment of fixed line broadband. However, it also acknowledges that conditions may be required to ensure that this permitted development right only permitted monopole style masts rather than other types of mast (if it becomes part of the legislation).

The applicant considers that the proposed equipment is appropriately located. The applicant has also carried out a site search which identified a number of possible locations, but these have been discounted due mainly to being too far from the nominal to provide coverage to the target area.

The applicant also considers that it has been possible to devise a scheme which has a minimal visual impact on the surrounding area. The applicant further states that the design would result in a less intrusive facility than other designs, therefore preserving the character and appearance of the area.

Whilst not yet legislation, it is clear that the Government wishes to promote 'more slimline, aesthetically pleasing designs', however, it is considered that the mast, currently under consideration, could not reasonably be considered as falling within such a description.

It is further considered, contrary to what the applicant maintains, that this proposed mast would appear as an alien and incongruous addition to this part of the street scene adversely impacting on the visual amenities of the street scene and the character of the area by reason of its size, siting, scale, design and appearance. Whilst it is acknowledged that the height of the proposed mast has been reduced in height from 20m to 15m following a pre application submission, the proposed development would still be substantially taller than the existing street furniture and nearby trees and, as a result, would be clearly identifiable as an alien element within the street scene. This is compounded by the actual mast design which does not have a 'shroud' design and all the antennas and transmission dishes would be exposed adding to its alien appearance in this residential location.

The proposed development also includes equipment cabinets, one of which would be a wraparound cabinet built at the base of the proposed mast further giving a more industrial type appearance. It is acknowledged that there are already equipment cabinets on this grass verge, however, it is considered that the introduction of the

amount of cabinets proposed, acknowledging that these are an essential part of the installation, would amount to clutter which would result in an adverse impact on the visual amenities of the street scene and the character of the locality.

The generally open character and appearance of the site and the street scene would be materially harmed by the proposed development due to size, siting, scale, design and appearance which would appear incongruous and at odds with the open character of the grass verge. It is therefore considered that the siting of the proposed development in this location would be detrimental to the appearance of the site and the visual amenities of the street scene.

(iv) Impact upon residential amenity

The NPPF states, inter alia, that local planning authorities must determine applications on planning grounds only and 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.

Therefore, the grounds for a local planning authority to refuse a prior notification application is limited only to the issues relating to the appearance and siting of the proposed mast.

The proposed mast would be close to an adjacent house in St Catherines Road which has its flank and garage immediately adjacent to the proposed siting. However, Government guidance in the NPPF is clear that local planning authorities should not insist on minimum distances between new electronic communications development and existing development.

However, health issues and public concern can, in principle, be material planning considerations in applications for prior approval.

It is for the local planning authority, having regard to the Stewart Groups report and Government guidance, to determine what weight to attach to such considerations in any particular case.

It is the Governments view that if a proposed development meets ICNIRP guidelines for public exposure to electromagnetic fields, it should not be necessary for an authority, in processing an application, to consider health aspects and concerns further.

However, the prominent visual appearance of a mast within some sensitive locations, such as a predominantly residential area, may erode perceptions of the quality of the local environment and the well being of local residents, and this may form grounds of objection.

It is considered that the nearby residential occupiers would be adversely affected by their awareness of the incongruous appearance of the structure within the street scene.

8 Conclusion

- 8.1 It is acknowledged that the requirement for improvement connectivity with 4G and 5G is clearly compelling particularly having regard to recent and still unfortunate current

events of the COVID-19 pandemic. This has seen a complete change in working practices in that home working had to develop in order to allow businesses to function and provide services.

The need for such infrastructure is even more compelling with the changes to how emergency services of all types will communicate in the future new Emergency Services Network (ESN) critical communications system. However, ESN can operate across the 4G network.

However, as recognised by the Government in its recent consultation document, there is a recognition that there needs to be a balance of the benefits of improved connectivity with local control and environmental protections.

In this instance, whilst the National Planning Policy Framework recognises that planning decisions should support the expansion of electronic communications networks and the applicant has provided the necessary evidence to justify the proposed development in principle, it is considered that by reason of its size, siting, scale, design and appearance, the development would result in harm to the visual amenities of the street scene and the character of the locality, which is not outweighed by these other considerations.

The NPPF also states, inter alia, that equipment should be sympathetically designed and camouflaged where appropriate, which this application does not achieve.

In conclusion, the proposed mast and ancillary equipment, by reason of size, siting, scale, design and appearance would appear as a visually intrusive and incongruous feature within the street scene which would fail to respond positively to the character and appearance of the local environment.

The proposed mast and ancillary equipment have not been sited or designed in a way that would minimise the impact of the development and, as such, would result in an adverse impact upon the visual amenities of the street scene, the appearance of the locality and adversely affect residential occupiers of nearby properties by reason of their awareness of the incongruous appearance of the structure within the street scene.

It is unfortunate that the submitted coverage plan showing the coverage and areas where coverage does not meet service requirements is of poor quality.

A number of objectors have commented that this type of mast would be better sited in a more industrial location away from residential properties. To this end, the business centre and industrial area in Furniss Way is within a reasonable distance from the application site. However, whilst the submitted coverage plan seems to indicate that this location is also within a poor coverage area, the applicant has considered and dismissed this location on the grounds that the location is too far from the nominal and that it would not be possible to provide coverage to the target area from this location. However, no further evidence has been submitted to demonstrate that such a site would not potentially be suitable as clearly a location in a more industrial location could be less sensitive than a residential location.

As such, the proposed development is contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) March 2011, Policy E1 of the submission version of the Havant Borough Local Plan and the National Planning Policy Framework.

9 RECOMMENDATION:

That Prior Approval is required for the siting and appearance of the development and that the Head of Planning be authorised to **REFUSE APPROVAL** for application APP/21/00296 for the following reasons:

- 1 The proposed mast and ancillary equipment, by reason of size, siting, scale, design and appearance would appear as a visually intrusive and incongruous feature which would fail to respond positively to the character and appearance of the local environment.

The proposed mast and ancillary equipment have not been sited or designed in a way that would minimise the impact of the development and, as such, would result in an adverse impact upon the visual amenities of the street scene, the appearance of the locality and nearby residential occupiers of nearby properties who would be adversely affected by their awareness of the incongruous appearance of the structure within the street scene.

As such, the proposed development is contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) March 2011, Policy E1 of the submission version of the Havant Borough Local Plan and the National Planning Policy Framework.