

MC/21/3156

Date Received: 29 October 2021

Location: Pavement Outside 143 Bredhurst Road Wigmore
Gillingham Medway

Proposal: Removal of existing 10m Jupiter 850 Streetworks Monopole to be replaced with proposed 20m high Hutchison Engineering Orion V2 Streetworks Pole on a new root foundation and associated ancillary development

Applicant Cornerstone

Agent Sitec Infrastructure Services Ltd
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Ward: Hempstead And Wigmore Ward

Case Officer: Stephie Theedom

Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 8th December 2021.

Recommendation - Approval subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing numbers: CTIL11254321_TEF015175_VF079587_REV A received on 29th October 2021
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall be implemented and retained in accordance with the approved colour details submitted on 23 September 2021 stating that the monopole and cabinets herein approved shall be coloured 'Fir Green' RAL6009.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

For the reasons for this recommendation for Approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This planning application is for the upgrade of the existing telecoms mast and existing equipment cabinets on the Pavement Outside 143 Bredhurst Road. The proposal seeks to upgrade the existing cabinets on site and propose one new cabinet located on the boundary on property No,145 and the removal of the existing 10m Hutchison Engineering Pandora Streetworks Monopole and replacement with a 20m high Hutchison Engineering Orion V2 Streetworks Pole on a new root foundation and associated ancillary works.

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Nine letters were received raising the following objections:

- Visual impact on the street scene and surrounding
- Height/ design
- Noise/ noise pollution.
- Siting in residential area
- Location and proximity to the highway
- Local impacts on health
- Landscape and screening from 145 proposed to be removed (by occupants)
- Trees/ screening not in the public domain
- Health concerns

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2021 and are considered to conform.

Planning Appraisal

Principle

In assessing this application, regard must be paid to the NPPF and the development plan. The NPPF supports high quality communication infrastructure, given that it is essential for sustainable economic growth. Paragraph 114 of the NPPF states 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 117 of the NPPF advises that applications for telecommunications development (including for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.

Paragraph 118 of the NPPF requires Local Planning Authorities to determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.

Policy CF14 of the Local Plan notes that telecommunications development will be permitted subject to:

- *the applicant for a new mast showing evidence that sharing existing masts and sites, buildings and structures have been explored and found to be unsuitable due to legal, technical or environmental reasons; and*
- *the site being the best available in environmental terms within technical and legal constraints and mitigation measures have been taken to minimise visual intrusion/environmental impact and amenity considerations; and*
- *new high masts being of a design that allows the sharing of aerial space with other operators at critical sites.*

Siting and Appearance

The submitted document, site specific supplementary information received 29 October 2021 states that the development is required to upgrade the UK H3G network to provide improved coverage and capacity, most notably in relation to 5G in addition to providing improved 2G, 3G and 4G services from the site.

Policy CF14 of the Local Plan requires the applicant to demonstrate that the opportunity to share existing masts and sites has been explored and is not feasible. In this instance the applicant has considered the following siting and design options using the sequential approach to site selection.

- Existing Buildings/ Structures

- Ground base Installations

The application site has established communications equipment present on site. The NPPF states that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G). Paragraph 115 goes on to state that the number of sites for such installations, should be kept to a minimum and use of existing sites for new electronic communications capability should be encouraged. The continued use of this site for improved apparatus would reduce the need for new sites, either building based or ground based, in the immediate vicinity of the subject site, which would likely result in further visual clutter in the street scene.

Whilst the principle of improvements to support communication is encouraged, careful consideration also needs to be given with respect to the impact of any such development on visual amenity and the street scene. The application site is located on the grass verge outside of 143 and 145 Bredhurst Road, approximately 17m south of the junction of Fairview Avenue with Bredhurst Road, in an area that is predominantly residential. The ancillary cabinets would be located on the pavement and the mast on the highway verge. It should be noted that irrespective of the mast use, the provision of a tall structure will always have a presence in the street scene. However, it should also be recognised that the visibility of the mast or its height and design does not automatically result in an adverse impact. The location of the site in residential urban street is acknowledged in addition, the presence of an existing mast and cabinets together with nearby street furniture, it is considered although there is an addition of one cabinet and the new mast would be taller (approx. 10m) and more present within the street scene initially, however this would have minimal impact on the immediate character given the existing layout, given time this will be viewed in line with other street furniture's around the area without causing harm to its character.

In view of the above, and on balance, it is therefore considered that the proposal would not result in detrimental harm to the appearance of the street scene or surrounding area and would ensure the improved delivery of 2G, 3G, 4G and 5G services.

The proposed development has not been designed to accommodate multiple users, and as such, would not be able to enable mast sharing opportunities in the future. The agent stated that the existing shared installations within the public highway are not suitable for the provision of 5G for both operators as they do not have sufficient structural capacity. A sharable structure would therefore need to be capable of supporting up to 12 antennas, along with remote radio units, requiring deployment of a significantly more bulky and visually intrusive lattice tower type structure or open headframe monopole more suited to greenfield and industrial estate settings. Therefore, the proposed upgrade mast is considered accepted respecting the setting and location.

In considering the operational need, it should be noted that the paragraph 118 of the NPPF states that local planning authorities should not question the need for an electronic communications system, nor seek to prevent competition between operators. Accordingly, the development is considered to comply with Policies BNE1 and CF14 of the Local Plan and paragraphs 115, 117, 118, 126 and 130 of the NPPF.

Amenity

The amenity consideration would relate to the impact of the proposed mast and associated works on neighbours. Policy BNE2 of the Local Plan and paragraph 130f of the NPPF relates to the protection of these amenities.

Objections in relation height, design, noise and impact on health were received from residents through the consultation process. Due to the siting and design, although the mast would have a visual presence, the main mitigation of the visual impact of siting the mast in this position is the presence of trees and shrubs located in the garden of No.145. The occupier of No.145 has stated that these trees are dead and will be removed and therefore the screening will now long be in place. However, the planning application should be determined in accordance with what is currently existing on site and the existing trees make a vital contribution to the character and appearance of the locality and would help to reduce the visual, and any cluttering, impact of the proposed apparatus and equipment cabinets. Therefore, due to the relatively slim profile it would not appear incongruous or unacceptably overbearing or intrusive when viewed from the neighbouring dwellings, when considered against existing apparatus on site.

The proposal would result in the upgrade on the existing cabinets one additional cabinet sited next to the existing cabinet along the boundary of No.145 and the proposed mast on the grass verge. In these circumstances it is not likely that the proposal would result in additional levels of noise and disturbance to neighbouring occupiers above what is currently experienced.

In addition, a declaration that the equipment complies with the requirements of the radio frequency public exposure guidelines for the International Commission on Non-Ionising Radiation has been submitted with the application.

Lastly, the proposed cabinets would be positioned in similar positions to the existing cabinets and would not encroach onto the path outside 143 and 145 Bredhurst Road. Therefore, the cabinets would not restrict access for pedestrians to the front gardens. As such, there are no objections regarding Policy BNE2 of the Local Plan and paragraph 130f of the NPPF.

Highways

The proposed mast would be sited in a position where it would not obstruct the public highway or result in highway safety concerns. The development would therefore comply with the objectives of Policies T1 and T3 of the Local Plan and paragraph 111 of the NPPF.

Conclusions and Reasons for Approval

The proposal would not result in any detrimental harm with regard to siting and appearance or impact on neighbouring residential amenities or highways safety and is considered acceptable. The application is in accordance with Policies BNE1, BNE2,

BNE43, CF14, T1 and T13 of the Medway Local Plan 2003 and paragraphs 111, 114, 115, 117, 118, 126, 130 and 130f of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing views contrary to Officers recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>