

Report of the Chief Executive

19/00182/FUL

UPGRADE TO THE EXISTING COMMUNICATIONS APPARATUS CONSISTING OF A REPLACEMENT TOWER OF 25M IN HEIGHT, SUPPORTING NEW ANTENNA, DISHES AND ANCILLARY APPARATUS ALONG WITH NEW AND REPLACEMENT / RELOCATED CABINETS AT GROUND LEVEL WITHIN THE EXISTING COMPOUND FOOTPRINT, AS WELL AS INCORPORATING AN EXISTING SITE SHARERS APPARATUS.

TELECOMMUNICATIONS MAST, MARKHAM ROAD, BRAMCOTE

Councillor S Carr requested this application be determined by the Committee.

1 Details of the Application

1.1 The application proposes a replacement mast (25m tall) with twelve new antenna and dishes, and ancillary equipment, and eight new and replacement / relocated cabinets in place of the six existing cabinets, at ground level within the existing compound footprint, following the removal of the existing mast. The upgrade to the equipment is required in order for the operators to be capable of delivering the next generation of digital communications technology (5G). The existing tower is 20m tall.

2 Site and Surroundings

2.1 The site is located on Bramcote Ridge, and within the Sandy Lane Nature Reserve. The site is accessed via a footpath leading eastward from Markham Road, and is to the north of housing on Sandgate. There is a recreation ground and play area to the east of the site, also accessed from the footpath. The site is designated as being within Alexandria Plantation SINC (Site of Importance for Nature Conservation), allocated as a Local Green Space and a Protected Open Area, and identified as a Prominent Area for Special Protection, in the Local Plan. The site is located in a wooded area, surrounded by mature trees.



Mast in the distance, viewed from the east along the footpath.



View north, with mast in the tree cover, taken from Sandgate.



View north west from footpath across play area



View across the playing field, looking west



Distance view of the mast from Carwood Road, to the south, at its junction with Nicholas Road



Zoomed in view of previous photo

2.2 The site is owned and maintained by Broxtowe Borough Council.

3 Relevant Planning History

3.1 There is no relevant planning history for this site.

4 Policy Context

4.1 **National policy**

4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.1.2 Paragraph 112 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 (e.g. 5G).

Paragraphs 113 to 116 build on this and seek to ensure that masts, and the sites for such installations, should be kept to a minimum, and existing masts, buildings and other structures should be utilised where possible. Evidence to support the justification of the development, including a statement that self-certifies that the cumulative exposure will not exceed International Commission guidelines on non-ionising radiation protection (an ICNIRP certificate) should be submitted, and the Local Planning Authority must determine applications on planning grounds only.

4.2 Broxtowe Aligned Core Strategy

4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 'Policy 16: Green Infrastructure, Parks and Open Space' seeks to ensure that existing assets are protected and enhanced. Exceptions may be made if the development is a small part of the Green Infrastructure network and will not be detrimental to its function.

4.3 Saved Policies of the Broxtowe Local Plan

4.3.1 The Part 2 Local Plan has recently been examined. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

4.3.2 Policy E12: Protected Open Areas. Development will not be permitted which would detract from the character or function of the protected open areas as shown on the proposals map (Bramcote Ridge is identified as a Protected Open Area).

4.3.3 Policy E13: Prominent Areas for Special Protection. Development which would adversely affect the character or appearance of the named prominent areas as shown on the proposals map will not be permitted (Bramcote Ridge is identified as a prominent area).

4.3.4 Policy E16: Sites of Importance for Nature Conservation. Planning permission would not be granted for development on or adjoining local nature reserves or Sites of Importance for Nature Conservation, which would damage or devalue their interest, unless there are special reasons which outweigh the recognised value of the sites. Where there are special reasons for development which outweigh the local value of the site, the applicant shall minimise harm to the site's features. Compensation for the loss of the site's features will be required, secured by planning conditions.

4.3.5 Policy E35: Telecommunications. Applications for provision of or extension to telecommunications equipment will be granted provided that; the potential for mast sharing and / or siting on existing structures has been fully explored; and the

detailed siting, design and appearance of the apparatus is acceptable in terms of its visual impact on its surroundings.

4.4 **Part 2 Local Plan (Draft)**

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 11 representations in relation to Policy 17 and 24 representations in relation to Policy 27. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policy 17, although suggested amendments in regard to Policy 27. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight, with Policy 27 being afforded limited weight.

4.4.2 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which meets a number of criteria including that it should integrate into its surroundings, take advantage of existing topography, and ensure a satisfactory degree of amenity for occupiers of neighbouring properties.

4.4.3 Policy 27 'Local Green Space' seeks to ensure that development within sites designated as Local Green Space will not be permitted if harmful to the character or function of the Local Green Space, except in very special circumstances.

5 Consultations

5.1 The Business and Projects Manager (Environment) states that as the proposed new mast would be within the footprint of the existing fenced area, there would be little impact on the trees around the fenced area itself. The main impact on the trees would be as a result of accessing the site which will require some cutting back of vegetation and agreeing the most appropriate route in order to minimise the impact. It is considered that the existing tree cover effectively screens the compound and the fenced area.

5.2 Councillor Carr objects on the grounds its increase in height (which would be seen for a considerable distance) would be very imposing on nearby houses and the mast would be in close proximity to the Local Nature Reserve.

5.3 Letters were sent to 11 neighbouring properties. One letter of objection was received raising concerns in regard to the health and safety implications of the mast, considering its proximity to a children's play area, and being located in a densely populated area.

6 Appraisal

6.1 **Principle of development**

6.1.1 The site is currently being used to accommodate an existing mast and associated infrastructure. As such it is considered that the continued use for this purpose is acceptable in principle. The main issues to be considered are the impact on the

open space / local nature reserve; impact on the occupiers of neighbouring property; and impact on visual amenity.

- 6.1.2 Information submitted as part of the planning application states that the upgrade of facilities at the site is required in order to accommodate advances in digital communication, including increase in speed of connections through the next generation of technology (5G) and beyond, to the public benefit. An ICNIRP certificate has been submitted. The information also re-iterated that the proposal would make use of an existing site, which is and will continue to be shared by two operators, thereby removing the need to find an additional site, within the area. It is therefore considered that the proposal complies with NPPF guidance on telecommunications equipment.

6.2 Impact on the Open Space / Local Nature Reserve

- 6.2.1 The proposal will utilise the existing telecommunications site. Whilst the replacement mast would be 5m taller than the existing, and the antennae and dishes would result in a wider mass of equipment to the top of the mast, it would remain screened by the mature trees and as such would have no greater impact in terms of its' visual appearance on the setting of the Protected Open Area / Prominent Area for Special Protection / local nature reserve. The works necessary to install the mast and infrastructure would involve moving equipment from the public highway, and may involve the removal or cutting back of vegetation including trees and shrubs. A Tree Survey is to be submitted, as well as a landscaping scheme, which will be drawn up and agreed in partnership with the Environment team. Appropriate conditions in regard to tree surveys / landscaping, including tree protection, and any other enabling works will be imposed as part of the decision.

6.3 Impact on Amenity

- 6.3.1 As the mast and associated infrastructure would be located within a wooded area, and the closest property being in excess of 51m distant, it is considered that the mast and infrastructure would not have an impact on the amenities of the occupiers of nearby property in terms of loss of light, outlook or privacy. Furthermore, an ICNIRP certificate, which certifies that the cumulative exposure will not exceed International Commission guidelines on non-ionising radiation protection will safeguard the health of any nearby residents.

6.4 Impact on Visual Amenity

- 6.4.1 In the immediate area, views of the existing mast are screened by the mature trees and landscaping surrounding the area and as such are restricted. This would continue to be the case even with the increase in height. Views of the mast are possible from further afield, for example further south along Markham Road. However, both the existing and proposed mast, being tall, thin structures, would not appear overly prominent within the skyline, especially as the majority of the structure is below the tree line. Very limited glimpses of the mast are possible from within the wider area, e.g. Derby Road, Thoresby Road and Wollaton Vale.

7. Conclusion

- 7.1 It is considered that the proposal is acceptable, subject to conditions in regard to tree protection and landscaping, as it would have no significant impact on the character and appearance of the area, upon the Protected Open Area / Prominent Area for Special Protection / local nature reserve, or upon the amenities of the occupiers of nearby property.

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the site location plan and drawings titled Proposed max config site plan and Proposed max config elevation, received by the Local Authority on 14 March 2019.**
- 3. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**
 - (b) numbers, types, sizes and positions of proposed trees and shrubs**
 - (c) planting, seeding/turfing of other soft landscape areas**

The approved scheme shall be carried out strictly in accordance with the agreed details. The erection of fencing for the protection of the trees to be retained shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

- 4. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**

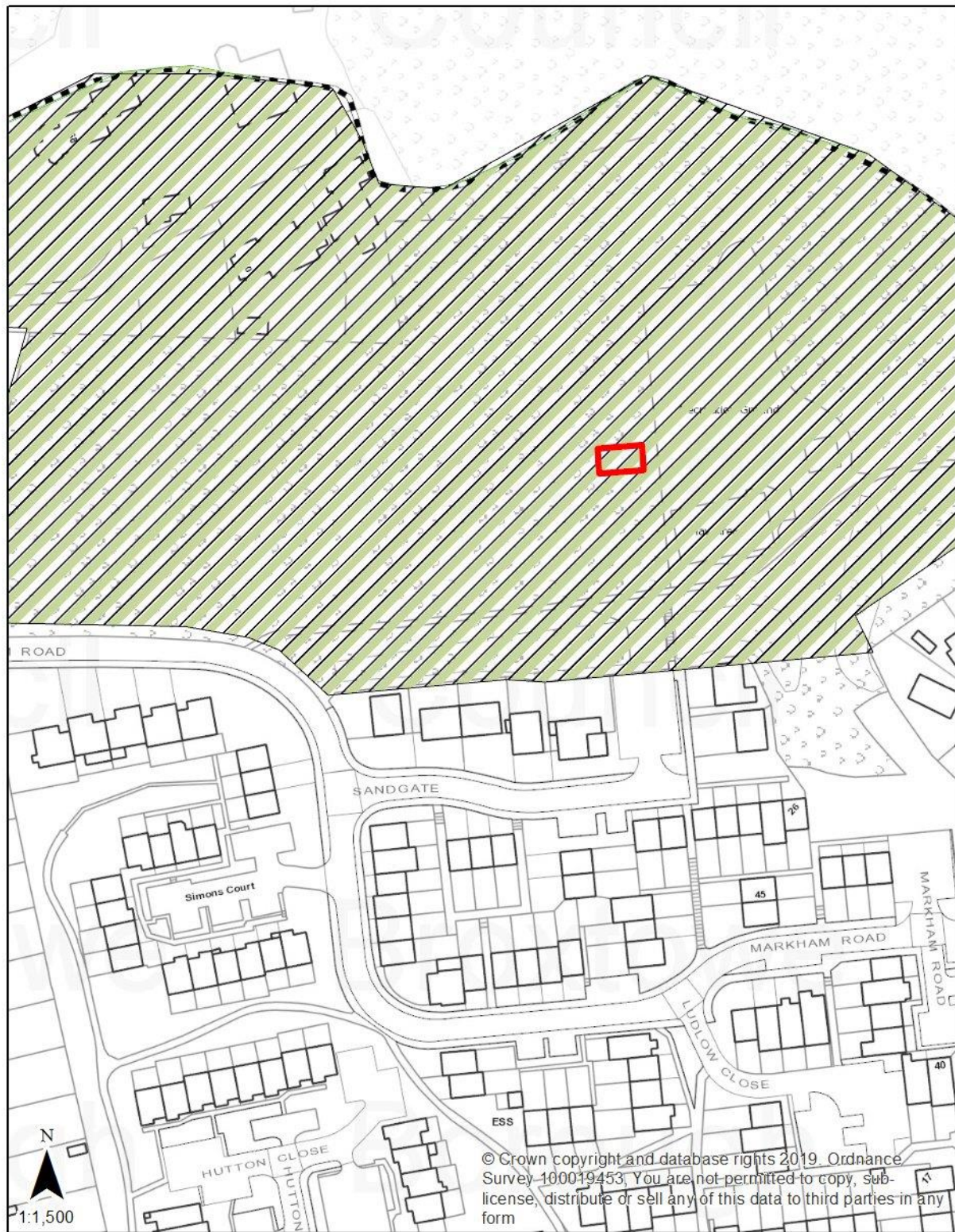
2. For the avoidance of doubt.
3. No such details were submitted, to ensure that the details are satisfactory in the interests of the appearance of the area and to ensure the existing trees are not adversely affected, in accordance with the aims of Policies E16 and E24 of the Broxtowe Local Plan (2004), and Policy 10 of the Aligned Core Strategy (2014).
4. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy E16 of the Broxtowe Local Plan (2004).

Note to applicant

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Background papers
Application case file



Legend

-  Site
-  Sites of Importance for Nature Conservation (Local Plan)
-  Prominent Areas for Special Protection
-  Protected Open Areas