



Appendix 3 – Post Application Correspondence

Correspondence received from the Eastleigh Borough Council

ELH21677 – Belmont Road

- **Copy of Officers Report refusing application**

DELEGATED OFFICER REPORT

Application Ref: PN/22/93378

Site Address: Land on Corner of Belmont and Wiltshire Road, Chandler's Ford

Case Officer: Alex Webb

Description: Proposed 5G telecoms installation: 15m street pole and 3 additional ancillary equipment cabinets and associated ancillary works.

Particular Site Constraints?	Yes ☒	No ☐
Nature Conservation NE - SSSI Impact Risk Zones & HRA Screening Criteria Aviation safeguarding Airport Safeguarding Zones EBC Owned Land		

Planning History?	Yes ☐	No ☒

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	x 17 • Level of electricity • Potential health issues resulting from radiation • boundary from mast to houses. • Bad for the environment • Impact on wildlife and biodiversity • Appearance • Devalue properties • Alternative sites more suitable • Not appropriate in residential area • ICNIRP advice is wrong • Unnecessary • Dangerous • Disturbance during construction		
Parish Council:	No Comment		
Hampshire Highways	No objection		
Southampton Airport	The proposed 5G telecoms has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore, have no objection to this proposal.		
Trees	The proposed position is very close to the only established tree within the general area. As no arboricultural information has been supplied, we have to assume that there will be impacts. We raise an arboricultural objection regarding the positioning of the cabinets especially, as they appear to be closer.		
Pollution	The monopole locates away from occupied premises and based on experience, there may not be an adverse impact from electromagnetic radiation. A certificate of compliance requested and provided by applicant therefore no further comment.		

Site Visit:	Yes ☒	No ☐
08/08/2022		

Legislation:
Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Policy:**National Planning Policy Framework
Planning Practice Guidance****Development Plan:**

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1 and S2; and Development Management policies DM1, DM11 and DM9.

Supplementary Planning Documents:

Quality Places (2011) and Trees and Development (2022)

Assessment:**Site and Surroundings**

The application site comprises a grassed area on a corner location where Belmont Road meets Wiltshire Road. Belmont Road is located to the south of the application site and Wiltshire Road is located to the east. The site is relatively small, but fairly prominent given its corner siting.

The wider surrounding area predominantly comprises residential properties.

Proposal

- The proposal is for the installation of an 15m high street pole in a pale green colour with additional ancillary equipment cabinets also in a pale green colour and associated ancillary works including the provision of 5 x paving slabs in front (north west) of the proposed cabinets.
- There is now 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
- The prior notification application includes:
 - An ICNIRP certificate declaring the equipment conforms to public exposure guidelines.
 - Developers notice made under article 13.
- Mobile phone base stations operate on a low power and accordingly base stations therefore need to be located in the areas they are required to serve. Increasingly, people are also using their mobiles in their homes and this means we need to position base stations in, or close to, residential areas.

Schedule 2, Part 16, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) allows certain development by electronic communications code operators to be carried out, subject to first submitting an application to the local authority to determine if prior approval is required in relation to siting and appearance.

The ground-based apparatus would not alter or replace any existing apparatus, it would be new equipment.

The proposed mast would be located on a highway whereby the proposed maximum height of the mast would be 15m.

The proposal would not replace an existing mast, would not exceed 20m, given it is located on a highway, nor would it exceed the width of an existing mast.

The proposal which is for the installation of ground-based electronic communications apparatus by an electronic communications code operator therefore complies with the criteria set out within Class A.1.

In accordance with condition A.3 of Part 16 of the GDPO, the application has been submitted for a determination as to whether prior approval is required in relation to the siting and appearance of the proposal.

Siting

The technical requirements of 5G technology means that available sites are limited to a very small radius within the immediate residential area in order to transmit signals to neighbouring base stations. A list of five alternative sites has been provided (within the supplementary information form) along with the reasons why these have been discounted.

The position of the pole and ancillary equipment is not considered to obstruct visibility splays of the movement of pedestrians and there is no highway objection.

The equipment will be sited on a grassed area positioned next to the corner of Belmont Road and Wiltshire Road. The area contains grass and several mature trees to the south and west. The proposed mast would be sited on a prominent corner location, with limited screening offered only by the existing mature tree to the south. As such, public views would be obtained from Belmont Road and Wiltshire Road. Owing to the corner location, combined with its height, appearance and limited surrounding street furniture, the introduction of a 15m monopole and associated equipment is considered to create visual clutter, would be out of keeping, and would be considerably higher than the existing street paraphernalia and nearby neighbouring buildings, thus would have a harmful impact upon the visual amenity of the wider surroundings.

The proposal is in close proximity to an existing mature cherry tree to the south of the application site and no arboricultural information has been provided with the application submission nor has justification been provided as to the need to locate it in this location. An arboricultural objection is therefore raised against the siting of the proposed pole and cabinets. The proposal is therefore considered to have a detrimental impact on the health of the existing mature cherry tree which is an important and attractive feature within the street scene and locality contrary to local plan policy DM11 and the Trees and Development SPD (2021).

Appearance

In terms of appearance, the proposed telecommunication equipment would have a utilitarian and functional design. This would appear uncharacteristic of the surroundings, where there is limited street furniture, (comprising some streetlights and mature trees), thus would be considerably higher than this general street paraphernalia.

Whilst acknowledging Paragraph 114 of the NPPF, that high quality communications infrastructure is essential for economic growth, and Paragraph 117 advises that applications should be supported by necessary evidence to justify the proposal. There is also a requirement, under Paragraph 115, that 'equipment should be sympathetically designed and camouflaged where appropriate'. In this instance, although the pole and cabinets would be a light green colour, the urbanising effect would conflict with national advice. It would therefore be concluded that the wider economic benefits of providing communications infrastructure would not be considered to outweigh the harm to the visual amenity of the area.

Other Matters

Amenity

The applicant has submitted an ICNIRP declaration which states that the proposals are in compliance with the requirements of the radio frequency public exposure guidelines on the International Commission on non-ionising Radiation Protection. This meets the current government requirements (as outlined in Paragraph 117 of the NPPF) and satisfactorily

addresses the issues of potential or perceived health risk, and the particular circumstances of this case would not merit a departure from these requirements or outweigh national policy guidance.

The Council's Environmental Health Officer (EHO) has been consulted as part of this application and requested a ICNIRP and no further comment was therefore required from the EHO.

Given that the application includes the required declaration that the installation will comply with the requirements of the International Commission for non-ionising radiation protection, this matter would be considered acceptable.

Objections

In terms of objections, whilst it is acknowledged that there have been objections on this application, Paragraph 118 of the NPPF, states that "Local planning authorities must determine applications on planning grounds only". Therefore, some of the objections made are not considered valid on planning grounds.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other this, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020-2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and development plan do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and Local Plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF and Policies, S1, DM2, and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of

climate change and is expected to limit impacts on climate emissions as a result of the development or its use.

Conclusion: Prior approval is refused for the following reasons:

- 1) The proposal, by reason of siting and appearance is considered to be visually dominant and intrusive, harmful to visual amenity and detrimental to the character and appearance of the area, contrary to Policies S4 (3e), DM1 and DM9 of the Eastleigh Borough Local Plan 2016-2036 and the contents of the National Planning Policy Framework (NPPF) (2021).
- 2) Based on the limited information received, the proposed development would damage the health of the existing mature cherry tree to which is an important and attractive feature within the locality and street scene. As such the proposal is contrary to DM11 of the Eastleigh Borough Local Plan 2016-2036 and the Trees and Development SPD (2022).

Recommendation:

PERMIT ☐

REFUSE ☒

Comments ...