

DELEGATED OFFICER REPORT

Application Ref: PN/22/94411

Site Address: Hursley Road, Chandler's Ford, Eastleigh, SO53 1JN

Case Officer: Summer Sharpe

Description: Proposed Base Station upgrade to the existing telecommunications installation. Proposed removal of the existing 15.0m Pole together with existing 3 No. Antennas. Proposed installation of 17.5m Apollo Pole together with 3No. Antennas and 1No. GPS Module. Existing Equipment Cabinets to be upgraded internally and associated ancillary works.

Particular Site Constraints?	Yes ☒	No ☐
- Within urban edge - Airport safeguarding - Nature Conservation: River, SAC, SPA, Ramsar		

Planning History?	Yes ☒	No ☐
Application no.	Proposal	Decision
M/06/56810	Erection of 12.5 metre high telecommunications mast and associated equipment cabinet	Prior Approval Refused (June 2006) Dismissed Appeal (2007)
M/08/63059	Prior notification: Erection of 10M high telecommunications mast and associated equipment cabinet	Prior Approval Granted (July 2008)
M/10/67495	Replacement of existing 10M high telecommunication column with a 12.5M high dual user column and 2No. Ancillary equipment cabinets	Prior Approval Granted (August 2010)
M/14/74138	Prior Notification: Erection of 12.5M (total height) telecommunication mast with 2no. Ancillary equipment cabinets following removal of existing 12.5m mast	Prior Approval Granted (April 2014)

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1no. Comment, summarised as follows:</u> What is the impact of the proposed compared to the existing apparatus on site, why are the proposals being undertaken, will this be more powerful, what is the environmental impact/ health risks, how long will it take to complete, and how will the new mast look.		
Parish Council:	None received.		
Hampshire Highways:	No objection to the proposals from a highways perspective. The upgrade proposed positions equipment in an almost exact position to that already in place, and this neither obstructs pedestrian movement on the footway, or impacts upon required visibility splays at nearby highway junctions.		
Environmental Health:	Please could the applicant confirm there will be no audible noise from supporting equipment (the boxes to be located at the base of the monopole - do not contain fans, motors etc) and whether there would be aeolian noise audible at the nearby dwellings during windy weather.		

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

Development Plan:Eastleigh Borough Local Plan 2016-2036

Policies: S1 (Delivering sustainable development), S4 (Employment provision), DM1 (General development), DM9 (Public utilities and communications), and DM13 (Transport).

National Planning Policy Framework**Supplementary Planning Documents:**

Quality Places, and Trees and Development.

Site Visit**Yes** ☒**No** ☐

5 January 2023.

Assessment:Site & Surroundings

The application site comprises a piece of land situated to the west of Hursley Road, due north of the junction with Ramalley Lane. There is currently existing telecommunications equipment in situ, which is surrounded by vegetation.

To the east of the site and Hursley Road, and the wider surroundings the character is predominantly residential with some industrial/ commercial units nearby (namely the Drapers Office to the north).

Proposal

The application proposes base station upgrade to the existing telecommunications installation. Proposed removal of the existing 15.0m Pole together with existing 3 No. Antennas. Proposed installation of 17.5m Apollo Pole together with 3No. Antennas and 1No. GPS Module. Existing Equipment Cabinets to be upgraded internally and associated ancillary works.

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 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.

Assessment Against Schedule 2, Part 16, Class A of the GPDO:

In accordance with condition A.3 of Part 16 of the GPDO, 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.

Class A - electronic communications code operators sets out the following criteria:

Permitted Development:

A. Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—

- (a) the installation, alteration or replacement of any electronic communications apparatus,
- (b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of

unservicable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or
(c) development ancillary to radio equipment housing.

Development not permitted: ground-based apparatus

A.1—(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;

- The application would not install new electronic communications apparatus, it would seek the removal and replacement of existing apparatus.

(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;

- The application proposes to replace 3no. new antenna, and would upgrade existing cabinets, none of which would exceed 15m above ground level.

(c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—

(i) 25 metres above ground level on unprotected land; or

(ii) 20 metres above ground level on article 2(3) land or land which is on a highway;

- The application would not install a new mast.

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

(i) exceed the greater of the height of the existing mast or a height of—

(aa) 25 metres above ground level on unprotected land; or

(bb) 20 metres above ground level on article 2(3) land or land which is on a highway; or

(ii) together with any antenna support structures on the mast, exceed the width of the existing mast and any antenna support structures on it by more than one third, at any given height

- The proposal would replace an existing mast but would not exceed 20m (it would be 17.5m), given it is located on a highway, nor would it exceed the width of the existing mast by more than one third.

Assessment of proposal against above criteria

To conclude, the proposal which is for the replacement of ground-based electronic communications apparatus by an electronic communications code operator complies with the criteria set out within Class A.1.

Assessment of proposal in relation to siting and appearance

Strategic Policy S4 (3e) notes that the provision of high-speed telecommunication facilities to serve Eastleigh and the rest of the Borough's settlements will be encouraged. Policy DM1 states that new development should seek to respect the context of the site and its surroundings, and Policy DM9 makes specific regard to public utilities and communications, and notes that there is general support for new/ improving existing facilities, providing that it can be demonstrated that alternative sites and means of provision including mast-sharing have been examined and there are no feasible alternatives.

Further to this, Paragraph 114 of the NPPF advises that 'advanced, high quality and reliable communications infrastructure is essential for economic growth', whilst also stating in Paragraph 115 that the use of existing masts, buildings and other structures should be encouraged. Where new sites are required, equipment should be 'sympathetically designed and camouflaged where appropriate'.

In terms of appearance, the proposed telecommunication equipment would have a utilitarian and functional design. There is, however, existing telecommunication equipment in situ and therefore this type of development has been established in this area, thus its replacement is considered to be appropriate and acceptable.

Amenity

Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulates that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.

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. They raised specific queries with regard to noise, requesting additional information from the applicant. The applicant confirmed that there would be no change in terms of noise emissions. They advised that *the shape of the mast is designed in such a way to ensure there would be no whistling type noise during wings. There are existing fans within the cabinets, however their noise emissions will not change.* The Council's EHO was agreeable to this additional information.

As such, and to conclude, the proposals are considered to be acceptable in this regard.

Equalities Act:

Section 149 of the Equalities Act 2021 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 things, 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 Councils 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:

The proposed telecommunications equipment is considered to comply with all the relevant criteria of Class A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as well as paragraphs 114-118 of the National Planning Policy Framework (NPPF). The specific siting and appearance of the proposed equipment has been considered and deemed appropriate given the surrounding area in which it is to be erected, with regard to the character and context of the surrounding vicinity. Prior approval is therefore required and hereby granted for the proposed development.

Recommendation:

**PRIOR APPROVAL REQUIRED
& GRANTED ☒**

REFUSE ☐