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Committee Date:	01/09/2016	Application Number:	2016/06002/PA
Accepted:	19/07/2016	Application Type:	Telecommunications
Target Date:	12/09/2016		Determination
Ward:	Sutton Four Oaks		

Walsall Road/Four Oaks Common Road, Junction of, Sutton Coldfield, Birmingham, B74 4RA

Application for prior notification for the installation of replacement 12.5m high telecommunication mast with associated antenna and equipment cabinet

Applicant:	Mobile Broadband Network Ltd 6 Anglo Office Park, 67 White Lion Road, Amersham, HP7 9FB
Agent:	Bilfinger GVA Norfolk House, 7 Norfolk Street, Manchester, M2 1DW

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### Recommendation

#### **No Prior Approval Required**

#### 1. Proposal

- 1.1. This is a prior notification application for the installation of a replacement telecommunications monopole and two replacement equipment cabinets located on a grass verge on the pedestrian footpath on the corner of Walsall road and Four Oaks Common Road.
- 1.2. The proposed monopole would be 12.5m high and replace an existing 11.7m high monopole. The proposed monopole would be grey in colour and situated in the same location as the existing monopole.
- 1.3. The proposed equipment cabinets would replace existing cabinets of the same dimensions measuring 0.6m (l) x 0.48m (w) x 0.9m (h) and 0.6m (l) x 0.48m (w) x 0.7m (h). The cabinets would be constructed in steel and grey in colour. They would be sited adjacent to the proposed monopole and to exactly the same locations as the existing cabinets. All other existing cabinets would be retained, except for one cabinet at the base of the existing monopole which is not proposed to be replaced.
- 1.4. The proposed apparatus would replace and update existing equipment to provide services for 4G and the Emergency Services Network (ESN) and would be operated by Mobile Broadband Network Ltd (MBNL).
- 1.5. ICNIRP (International Commission on Non-Ionizing Radiation Protection) compliance is demonstrated by way of an appropriate certificate submitted as part of the application.

#### 1.6. [Link to Documents](#)

## 2. Site & Surroundings

- 2.1. The application site is a grassed area on the northern side of Walsall Road at the junction with Four Oaks Common Road.
- 2.2. The application site comprises one existing grey monopole at a height of 11.7m and five ground based equipment cabinets finished in grey. The site is located on a grassed verge between two footpaths to the corner of Walsall Road and Four Oaks Common Road.
- 2.3. The surrounding area is predominantly residential, with The Crown public house to the north and as the backdrop behind the existing structures to the application site. There is a small parade of shops to the east of the site. Other street furniture in the vicinity consists of street lamps of two heights (5m and 10m) and road signs.

## 2.4. Site Location

## 3. Planning History

- 3.1. 1999/01935/PA – 27<sup>th</sup> May 1999 – Erection of 10 metre high monopole in verge: No prior approval required
- 3.2. 2010/06388/PA – 4<sup>th</sup> April 2011 – Installation of a small associated telecommunications cabinet: Permitted Development
- 3.3. 2012/05974/PA – 5<sup>th</sup> October 2012 – Application for Prior Notification for installation of electronic communications apparatus: Permitted Development

## 4. Consultation/PP Responses

- 4.1. Site Notice displayed requires comments to be received by 2<sup>nd</sup> September 2016.
- 4.2. M.P., Ward members, local schools and local residents have been notified.
- 4.3. Twelve objections received, all of which express concerns over the high number of telecommunications equipment in the area, the negative visual impacts of such proposals and the negative impacts they have upon the health and wellbeing of local residents.

## 5. Policy Context

- 5.1. The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 16 (2015); Draft Birmingham Development Plan; National Planning Policy Framework (2012); Telecommunication Development: Mobile Phone Infrastructure SPD (2008); Birmingham Unitary Development Plan (2005); and the Places for All SPG (2001)

## 6. Planning Considerations

### *Principle*

- 6.1. The approved monopole under the abovementioned 1991 application and subsequent application for the cabinets, establishes the principle of a replacement telecommunications mast and equipment cabinets in this location.

*Policy*

- 6.2. The prior approval procedure applies to the construction, installation, alteration or replacement of a ground based mast of up to and including 15m in height. The prior approval procedure allows the local planning authority to only consider the siting and appearance of the proposal.
- 6.3. Paragraphs 42-46 of the National Planning Policy Framework (NPPF) relate to the installation of telecommunications equipment. Paragraph 43 advises that local planning authorities should support the expansion of electronic communications networks but should aim to keep the numbers of telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. It explains that existing masts, buildings and other structures should be used, unless the need for a new site has been justified and that where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.
- 6.4. Paragraph 46 advises that local planning authorities must determine applications on planning grounds. 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.
- 6.5. The Telecommunications Policy (Paras. 8.55-8.55C) in the Birmingham UDP (2005) and the Telecommunications Development SPD both state that a modern and comprehensive telecommunications system is an essential element in the life of the local community and the economy of the City but that in assessing applications for telecommunications equipment, account will be taken of the impact of radio masts, antennae and ancillary structures on existing landscape features, buildings and the outlook from neighbouring properties. In respect of ground-based masts, the Council's SPD advises that they should make the most of existing screening or backdrop to buildings and avoid open locations, that they should be mitigated by landscaping and planting, that street locations will be discouraged but where they are the only option they should appear as an unobtrusive addition, and where possible sites should have a backdrop of trees to reduce visual contrast.

*Siting and appearance*

- 6.6. The site is located on a grassed verge set back from the kerb edge of a pedestrian walkway. The walkway lines the corner of Walsall Road and Four Oaks Common Road and 5m and 10m high lampposts are spaced regularly at intervals along both roads.
- 6.7. Representations have been made by local residents who have expressed concerns over the high number of telecommunications equipment in the area and the negative visual impact of the structures on visual amenity. The proposal is for replacement equipment to an established telecommunications site and not new equipment to a new site. The main difference would be the increased height of the monopole by 0.8m, which I consider marginal and not substantial enough to have any greater impact on the visual amenity of the area than the existing situation presents. I

therefore consider the application acceptable on the grounds of siting and appearance.

*Impact on public health*

- 6.8. Representations have been made by local residents who have expressed concerns over the negative impact the proposal could have upon the health and wellbeing of local residents. The Mobile Phone Infrastructure SPD states that the public frequently express concern about the use and development of telecommunications and the perceived effect on people's health. Paragraph 46 of the NPPF states that if a mobile phone base station meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure, it should not be necessary for the Local Planning Authority to consider further the health aspects and concerns about them. The applicant has demonstrated, by way of an appropriate certificate, that the proposed installation would meet the standards of the ICNIRP as recommended by Paragraph 46 of the NPPF. I therefore consider the application acceptable on the grounds of health.

*Other matters*

- 6.9. The site notice posted invites the receipt of comments up to and including 2<sup>nd</sup> September 2016. I would therefore recommend that no prior approval is required for this proposal, subject to the receipt of no further adverse comments up to and including 2<sup>nd</sup> September 2016.

7. Conclusion

- 7.1. I consider that the siting and appearance of the proposed replacement monopole and new equipment cabinets to be acceptable. In addition, due to the applicant demonstrating ICNIRP compliance, the application is considered acceptable on public health grounds. In the context of national and local planning policies and given that the application site already hosts established and similar telecommunications equipment, I consider the proposal acceptable.

8. Recommendation

- 8.1. No prior approval required subject to the receipt of no further adverse comments up to and including 2<sup>nd</sup> September 2016.

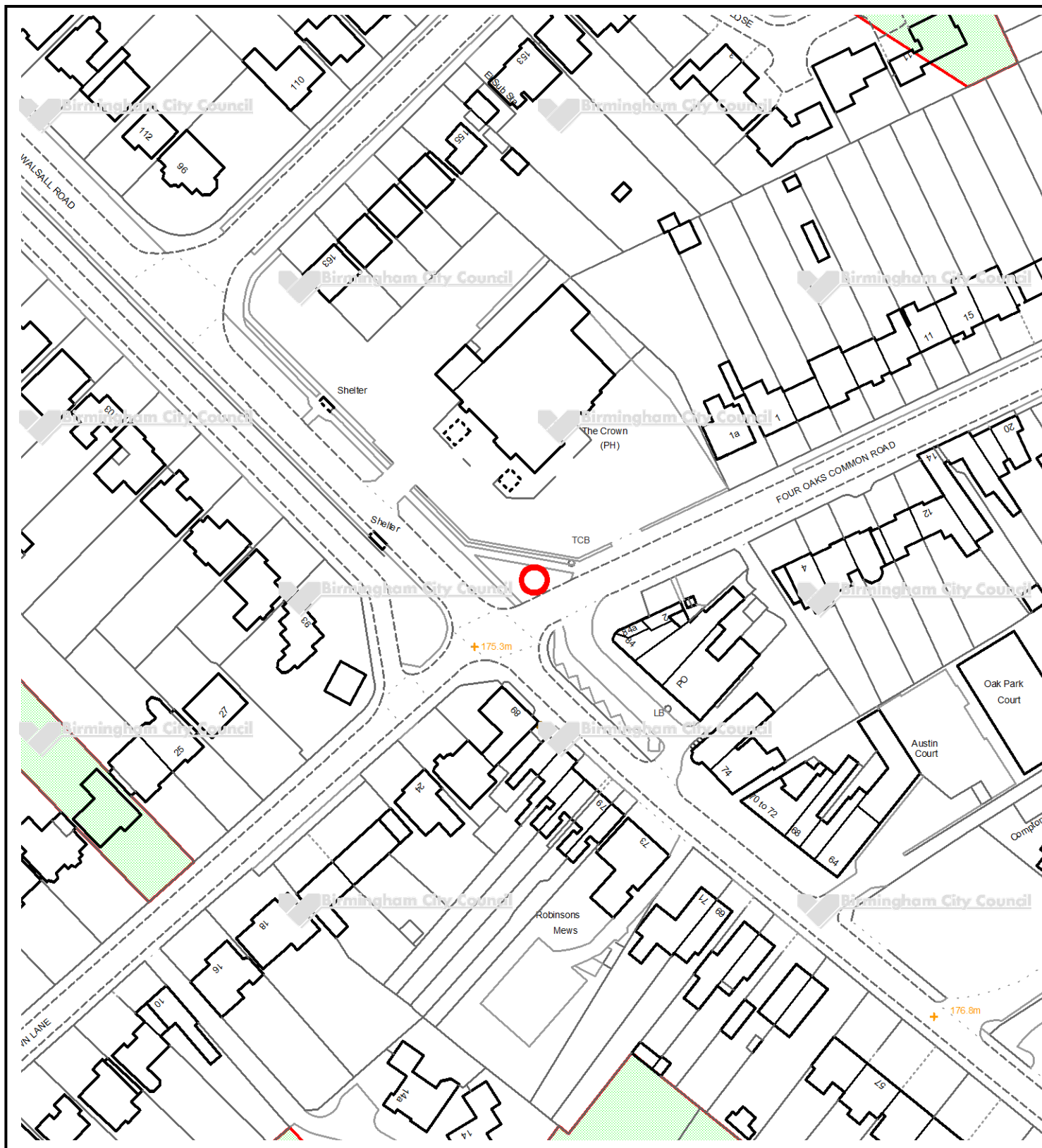
Case Officer: Faizal Jasat

## Photo(s)



Figure 1: South facing view from corner of Crown Lane and Walsall Road

## Location Plan



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