

DELEGATED APPLICATION REPORT

Ward: Church

App Ref: 221368/TEL

Address: Site At, Pepper Lane, Reading

Proposals: Proposed 15.0m Phase 9 slimline Monopole and associated ancillary works.

Case Officer: Beatrice Malama

Applicant: CK Hutchison Networks (UK) Ltd

Date received (valid from): 14 September 2022 **Target Decision date:** 9 November 2022

1. SITE DESCRIPTION

The application site is a grass verge located to the northern side of Pepper Lane near the intersection of Shinfield road, Pepper lane and Wellington Avenue. The immediate surrounding area is characterised by trees, buildings and street poles. This part of Pepper Lane has a verdant, tree-lined character. There are several trees adjacent to the site and directly opposite on the Pepper Lane boundary of Leighton Park School, are a number of trees subject to TPO's. The Grade II listed Blandford Lodge, within the University of Reading's Whiteknights Campus, is located less than 100m to the east of the site.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposal seeks for prior notification of proposed development by telecommunications code systems operators for the installation of a 15 metre high phase 9 monopole and associated ancillary development upon a grass verge north of Pepper Lane.

Plans considered:

- Drawing No: RDG23544_M001_RevA - 002 Site Location Plan
- Drawing No: RDG23544_M001_RevA - 100 Existing Site Plan
- Drawing No: RDG23544_M001_RevA - 150 Existing Elevation A
- Drawing No: RDG23544_M001_RevA - 260 Proposed Elevation
- Drawing No: RDG23544_M001_RevA - 210 Proposed Site Plan
- The Declaration of ICNIRP Compliance dated 06/09/22
- Developer's Notice to Director of Planning RDG23544 dated 10/09/2022
- Developer's Notice to Highways Department RDG23544 dated 08/09/2022
- Developer's Public Notice dated 08/09/2022
- Site Specific Supplementary Information reference RDG23544 dated 10/09/2022

Received by the Local Planning Authority on 15th September 2022

Relevant Policies

Class A, Part 16, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended)

National Planning Policy Framework

Chapter 10 (Supporting high quality communications)

Reading Borough Local Plan 2019

Policy CC7 (Design and the Public Realm)

Policy EN1 (Protection and Enhancement of the Historic Environment)

Policy EN4 (Locally Important Heritage Assets)
Policy EN6 (New Development in a Historic Context)
Policy EN14 (Trees, Hedges and Woodlands)
Policy TR3 (Access, Traffic and Highway-Related Matters)
Policy OU3 (Telecommunications Development)

Consultations

Internal Consultation

RBC Transport

- No objection

RBC Natural Environment

The proposal seeks to install a 15m pole, 3 cabinets and a length of paving slabs rear of these on the grass verge on the north side of Pepper Lane.

I am unclear whether this is in addition to or instead of the equipment proposed on the opposite side of the road under 211542/TELE (appeal decision pending). Either way, the application adds clutter to this verdant street, which you will no doubt be considering the acceptability of.

In tree terms, I have no objections to the equipment siting itself but as per requested for 211542/TELE, the proposed service route should be confirmed given the significant trees on both sides of the road - this should surely be a simple confirmation.

RBC Ecology

No objection.

Berkshire Archaeology

No objection

Public consultation

Nearby residents/occupiers were consulted by letter. One representation was received, with regard to the following:

- The proposal would have a significant visual impact on the surrounding area, highly prominent and visible from within Leighton Park School due to its insensitive location
- The proposal would be significantly taller than surrounding buildings, trees and street furniture, detracting from the visual amenity of the area
- No justification or mitigation to the impacts has been provided
- No consultation on proposals with Leighton Park School
- Incorrect presentation of information - applicant states that there are no schools nearby however the proposed site is directly opposite Leighton Park School and would be located less than 15 metres from the schools grounds.
- No proper evidence provided to show that no preferable alternative sites are potentially available.
- Lack of consideration of impact of proposals on nearby heritage assets

Relevant Planning History

Although there is no planning history related to this application at this particular site, application for prior approval (Ref: 211542/TEL) for a mast to be sited on a different site south

of Pepper Lane and not far from the current site, was refused in November 2021 and currently await an appeal decision.

Equality Act 2010:

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Appraisal:

This application has been submitted under the Prior Approval procedure under Part 16, Class A.3 (3) of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) and the Local Planning Authority (LPA) has 56 days in which to decide whether prior approval is required or not. If prior approval is required, such approval can either be given or refused by the LPA.

The proposed mast and associated equipment complies with Part 16, Class A.1 and Class A.7 of The Town and Country Planning (General Permitted Development) Order 2015 as amended in November 2016 as the mast would not exceed (excluding antenna) 20 metres in height on land which is on a highway as required by A.1 (1) and the proposed cabinets would not be greater than 1.5 sqm for each structure as required by A.1 (7) of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016.

Principle of development

Part 16 Class A (as amended by the 2016 GPDO) only allows LPAs to determine whether the prior approval of the authority will be required as to the siting and appearance of the development.

In accordance with Reading Borough Local Plan Policy OU3: Telecommunications Development, proposals for telecommunications development will be permitted provided that:

- They do not have an adverse impact on the visual amenity of the surrounding area or on the significance of a heritage asset;
- The apparatus will be sited and designed so as to minimise its visual impact by the use of innovative design solutions such as lamp column 'swap-outs' or concealment/camouflage options; and
- Alternative sites and site-sharing options have been fully investigated and it has been demonstrated that no preferable alternative sites are potentially available which would result in a development that would be less visually intrusive.

Siting and Appearance

In addition to Policy OU3 above Policy CC7 requires development to maintain or enhance the character of the surrounding area. Policies EN1, EN4 and EN6 require that historic features, including their settings, will be protected. Policy TR3 seeks that development does not adversely impact on the highway network and Policy EN14 seeks to protect existing trees from damage or removal.

The proposed 15m high monopole and ancillary equipment would be located within a grass verge on the northern side of Pepper Lane. The proposed equipment is required in order to assist with meeting the Governments aims to roll out 5G technology.

The Site-Specific Supplementary Document submitted with the application states that *“The road the site is situated on benefits from tall and mature trees running alongside both sides of the road. The surroundings to the site help achieve a good level of screening, allowing for any surrounding buildings to not be visually intruded by the installation of telecoms infrastructure.”*

The above statement however is misleading. Whilst there are a number of trees, buildings and a few street poles within the vicinity of the site, none of the mentioned structures or trees is as tall as the proposed monopole and therefore, given the height of the proposed equipment, it would clearly exceed the height of any nearby structures or trees. The proposal therefore would appear to dominate this part of Pepper Lane and would detract from the character of the area. In addition, given that there is a listed building within 100m of the site, it is considered that visual harm would be caused to the heritage asset by virtue of the height and design of the monopole. With no consideration given to the significance of the heritage asset, the proposal is directly contrary to Policy EN1, EN4 and OU3 of the Reading Borough Plan.

Application for prior approval (Ref: 211542/TEL) for a mast to be sited on a different site south of Pepper Lane and not far from the current site, was refused in November 2021 and currently await an appeal decision. One of the reasons for refusal was as follows:

“The proposed 18m high monopole and associated equipment would, by reason of its height, overall bulk and prominent siting, detract from the visual amenity and appearance of the surrounding area, including the setting of the Grade II listed Blandford Lodge, contrary to Policies CC7, EN1, EN4, EN6 and OU3 of the Reading Borough Local Plan (2019)”.

Although the current mast proposed (221368/TEL) would be shorter at 15m and would be located at a different site, given the height and bulk and taking into account the general character of the area, the proposal would still have an adverse impact on the area’s visual amenity as the equipment would still be much taller than any nearby structure.

The applicant states in the application that *“guidelines of using high quality communications infrastructure the proposed design has been selected to minimise visual impact upon the street scene by integrating with the existing street furniture, having similar vertical lines and overall appearance to the numerous street lighting columns in this area”.*

The Council is not convinced that this has been achieved as the proposed equipment would be much taller - almost twice the height and would be bulkier than any nearby street pole which are more slender in design. In addition, it is unclear how a monopole of this height and size would easily integrate with the existing street furniture. The siting and design of the proposal makes little attempt to minimise its visual impact, through innovative design such as concealment options or use of existing nearby buildings. By virtue of its height, the proposal would have a visual dominance in the verdant surrounds, out of character with the scale of structures and vegetation in the vicinity. The benefits of the monopole in terms of meeting the aims of the NPPF to roll out 5G technology are not considered to outweigh the visual impacts on the surrounding area.

Trees Matters - siting

There are several mature trees of amenity value located adjacent to the site and a number of TPO trees located directly opposite the application site across Pepper Lane. The application however has failed to demonstrate the intended service route for the development. In addition, the applicant has not submitted any Arboricultural Impact Assessment to demonstrate lack of harm to important trees within the site’s vicinity. Without demonstration that harm would not

be caused to the RPAs of these trees during the installation of underground supporting services, the proposals are contrary to Policy EN14.

Alternative Sites

In accordance with the sequential approach outlined in the National Planning Policy Framework (NPPF) consideration should always be given to sharing any existing telecommunication structures in the area, secondly consideration is then given to utilising any suitable existing structures or buildings and thirdly sites for freestanding ground-based installations are investigated.

A list of alternative sites discounted with reasons for discounting has been provided within the Site-Specific Supplementary Document however the Local Planning Authority is concerned about the level of detail provided. The amount of information supplied to justify the choice of site is limited and thus it is unclear whether robust research was conducted prior to the submission of the application. For example, option D1 - was discounted because "university campus nearby has listed buildings, better options available away from heritage assets". It is unclear how the selected site was found to be more suitable than D1 when both sites are located very close to a Grade II listed Blandford Lodge, located within the University of Reading's Whiteknights Campus. In addition, option D4 a possible rooftop site was discounted as "building does not seem suitable for supporting radio equipment" but there is no explanation if this is simply a less convenient option or there would be technical challenges with this option. The statement above would appear to indicate that the applicant just made assumptions that this option would not be suitable without conducting a detailed analysis of the site. We are therefore not satisfied that alternative sites have been adequately addressed.

Considering that there are a number of buildings within the search area that would potentially accommodate this type of radio equipment, it is considered that the applicant has not satisfactorily demonstrated the absence of preferable alternative sites. This is contrary to Policy OU3 of the Reading Borough Local Plan (2019) and the NPPF (2019).

Transport

All of the equipment will be located on highway land. The proposed location of the additional equipment cabinets and pole will not impact on any visibility splays at the junction or obstruct pedestrian movement on the footway. There are no accesses or junctions in close proximity to the proposed installation site. Therefore, there are no transport objections to this proposal subject to the suggested informatives.

Health Issues

The NPPF states 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". The supporting text to Policy OU3 states that "ICNIRP declarations should be based on the cumulative effects of electromagnetic fields emitted by other nearby base stations and antennae as well as the proposed development".

The applicant has provided an ICNIRP certificate to support this application. This certifies that the proposed development (which also takes account of the cumulative effect of emissions from the proposed installation and all nearby base stations) would be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of ICNIRP. Therefore, the ICNIRP certificate complies with current Radio Frequency exposure guidelines, as defined in the

EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz).

The ICNIRP guidelines continue both to exclude known health risks and to minimise unascertained health effects. The ICNIRP guidelines are the most up-to-date and relevant tool to ascertain the acceptability of telecommunications development within the planning process. Bearing in mind the Government's view on mobile phone masts and health issues, as expressed in the NPPF, it would not be appropriate for this Council to substitute its own "opinion" on health issues for that expressed by ICNIRP.

On balance, the suggested health risks associated with this development and the fear and/or stress associated with these perceived risks are outweighed by the reassurances provided by the technical information submitted by the applicant. As such, the possible health implications of such apparatus are not considered sufficient reason to refuse prior approval.

Conclusion

For the reasons outlined in this report, namely the scale and height of the proposal, the impact on nearby trees of amenity value and insufficient detail on alternative sites, the proposal is not considered to be acceptable in terms of local and national policy.

RECOMMENDATION

PRIOR APPROVAL REFUSED

Reasons for Refusal:

1. The proposed 15m high monopole and associated equipment would, by reason of its height, overall bulk and prominent siting, detract from the visual amenity and appearance of the surrounding area, including the setting of the Grade II listed Blandford Lodge, contrary to Policies CC7, EN1, EN4, EN6 and OU3 of the Reading Borough Local Plan (2019).
2. The proposed development, in the absence of information on proposed service route and an Arboricultural Impact Assessment, has failed to demonstrate lack of harm to important trees resulting from the installation of underground services, contrary to Policy EN14 of the Reading Borough Local Plan (2019).
3. The proposed development, in the absence of sufficient detail on potential alternative sites for the development, has failed to demonstrate that no preferable alternative sites are potentially available which would result in a development that would be less visually intrusive, contrary to Policy OU3 of the Reading Borough Local Plan (2019) and the NPPF (2019).

Informatives

IF0: Positive and Proactive Working - refusal

The Local Planning Authority has worked positively and proactively with the applicant to see if relevant concerns could be resolved to allow permission to be granted. However, that has not been possible within the prescribed target and therefore the decision to refuse planning permission has been taken.

I14: Pre-app Advice

This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission.

I00: Plans

The refusal relates only to the following plans and information as received by the local planning authority:

- Drawing No: RDG23544_M001_RevA - 002 Site Location Plan
- Drawing No: RDG23544_M001_RevA - 100 Existing Site Plan
- Drawing No: RDG23544_M001_RevA - 150 Existing Elevation A
- Drawing No: RDG23544_M001_RevA - 260 Proposed Elevation
- Drawing No: RDG23544_M001_RevA - 210 Proposed Site Plan
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