

DELEGATED APPLICATION REPORT

Application No: 191499/FUL

Address: Land at Bath Road, Reading

Proposal: Installation of a new 20m high Street Works Pole along with additional equipment cabinets and ancillary development.

Case Officer: David Brett

Applicant: MBNL (EE (UK) LTD & H3G (UK) LTD)

Received on: 17/09/2019

Valid on: 30/09/2019

Target Date: 24/03/2021, extension of time agreed from 25/11/2019

Site Description and Surrounding Area

Bath Road is considered a road that is used to access other parts of the surrounding area. The proposed telecoms equipment is sited adjacent to one of Reading's main historic parks, Prospect Park (para. 7.1.4 of the Reading Borough Local Plan (Adopted November 2019)). The development site is situated along the potential Mass Rapid Transport (MRT) route as demonstrated in the Reading Borough Local Plan (Adopted November 2019) (Figure 6.1: Area Strategy for West Reading and Tilehurst, page 183). Bath Road is designated as an air quality management area, and area with high treescape value within the Reading Tree Strategy.



Fig 1. Proposed siting of monopole and associated cabinets highlighted in red.

Proposal

The proposal seeks full planning permission for the erection of a 20m monopole with seven ground-based cabinets and ancillary development. The proposed development also seeks to remove three of the existing ground based cabinets, and the antenna to the existing lamppost/monopole structure (lamppost/monopole structure to be retained).

Application 191499 was submitted prior to the submission and determination of prior approval application 200672 at Bath Road. The development proposed within prior approval application 200672 is considered almost identical to the development proposed under application 191499, however, there are some minor additional details on the plans submitted for application 191499. Prior approval for application 200672 was refused on 22/07/2020. Application 200672 failed to address concerns regarding the impact to nearby mature and highway trees despite a full arboricultural report being submitted to support the application.

Application 191499 has been assessed on its own merits, however, it was expected that the application would face similar issues and concerns that were raised with application 200672. The Agent was informed of this, with details of communications between the Case Officer and the Agent detailed in the 'Progress of Application' section of this report.

Applications seeking full planning permission for telecoms were until April 2020 automatically considered at Planning Applications Committee. At this time the scheme of delegation was altered to enable officers to determine applications under delegated powers if the officer level recommendation is to refuse permission.

Plans/Documents Considered

The agent supplied the following plans:

- 002 Site Location Plan - 987048_RDG020_51640_RG4283_M001 Issue: A
- 100 Existing Site Plan - 987048_RDG020_51640_RG4283_M001 Issue: A
- 150 Existing Elevations A - 987048_RDG020_51640_RG4283_M001 Issue: A
- 215 Max Configuration Site Plan - 987048_RDG020_51640_RG4283_M001 Issue: A
- 265 Max Configuration Elevation - 987048_RDG020_51640_RG4283_M001 Issue: A
- Site Specific Supplementary Information

These plans were received on 17th September 2019

Relevant Planning History

151565 - Replacement of existing 12.4 lamppost monopole with a 13.2m high lamppost monopole with 1 no. additional equipment cabinet (amended description). Granted Prior Approval on 21/10/2015

200672 - Application for Prior Notification of proposed development by telecommunications code system operators - Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Refused prior approval on 22/07/2020

Reasons for Refusal:

1. The proposed development, by reason of its siting, has failed to demonstrate that it would not detrimentally impact on nearby highway trees, contrary to Policies CC7 and EN14 of the Reading Borough Local Plan (Adopted November 2019).
2. The proposed 20m high monopole, by reason of its height, would detract from the appearance of the designated historic Prospect Park, contrary to Policy EN1 of the Reading Borough Local Plan (Adopted November 2019).

Internal Consultations

Trees - Response received on 09/10/2019

- *The Arboricultural information submitted in support of this application is fairly poor and generic. I would like an accurate survey of the trees to be undertaken so that the long term relationship of the pole to the adjacent trees can be ascertained. Can we get technical confirmation that reasonable predicted growth of the adjacent trees will not interfere with the functionality of the pole? The tree assessment should also provide information on any excavation required within the rooting areas of the adjacent trees and works to the canopies of the adjacent trees in order to facilitate the build. We will also require a site specific Arboricultural Method Statement on the steps to be taken to avoid damage to the trees and tree roots.*

Trees - Further response received on 16/02/2021. Agent asked if the response received on 09/10/2019 was still applicable given the amount of time that has passed since the response was received.

- There is a failure to demonstrate that the proposed development would not be harmful to nearby trees within Prospect Park. The response received on 09/10/2019 is still applicable.

Transport -response received on 16/10/2019

- *It does not appear that the site would result in further obstruction or encroachment onto public footway or carriageway. The replacement apparatus is also not considered to give rise to cause any inappropriate distraction to passing motorists along both the Bath Road. The proposed location of the equipment cabinet will not impact on any visibility splays.*
- There are no transports objections to this proposal

Ecology - Response received on 06/11/2019

- The application site comprises the road verge next to Prospect Park. This is amenity grassland of limited ecological value. As such, subject to any tree related matters being resolved there are no objections to this application on ecology grounds.

External Consultees

Blessed Hugh Faringdon Catholic School, Fawley Road, Reading, RG30 3EP
Prospect School, Cockney Hill, Reading, RG30 4EX

A site notice was erected for a period of 21 days on Thursday 3rd October 2019, expiring on Thursday 24th October 2019.

No responses have been received.

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.

Relevant Policies

The application has been assessed against the following policies:

National

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

Reading Borough Local Plan (November 2019)

- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- EN1: Protection and Enhancement of The Historic Environment
- EN14: Trees, Hedges and Woodland
- EN15: Air Quality
- EN16: Pollution and Water Resources
- TR3: Access, Traffic and Highway-Related Matters
- OU3: Telecommunications Development

Other relevant documents

Reading Borough Council Tree Strategy (March 2021)
Reading Biodiversity Action Plan (March 2021)

Appraisal

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.

In the first instance, the proposed monopole and associated cabinets will be appraised for their impact on the character and appearance of the surrounding area. The proposal will then be assessed to determine if alternative sites (where possible) have been fully investigated within the supporting documentation for this application. The proposed monopole will be assessed from three viewing angles based on the flow of vehicle traffic within the surrounding area.

Siting and Appearance



Fig 2. Image indicating the location of the proposed antenna and viewing angles to be assessed.

Icon	Icon Name	Description
	Proposed Antenna	The proposed location for the monopole and associated cabinets.
	Viewing Angle 1	The view to be appraised heading eastbound along Bath Road.

	Viewing Angle 2	The view to be appraised heading westbound along Bath Road.
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The proposed location for the 20m monopole and seven associated ground level cabinets is along Bath Road, directly south of Prospect Park, Tilehurst. The immediate surrounding area consists of one of Reading's main historic parks. To the south of the proposal site is the Florian Gardens residential estate.

Bath Road (A4) is considered a main road that links the centre of Reading to the western parts of the borough, including Southcote and Tilehurst. The section of Bath Road upon which the proposed development is to take place is considered very open and green. The proposal site is on the north side of Bath Road, adjacent to the tree line that runs along the front of Prospect Park.



Fig 3. Viewing Angle 1, heading eastbound along Bath Road. Photo taken on 06/07/2020.

The westbound approach to Reading town centre along the section of Bath Road which hosts the proposal site is considered green and open. A tree line fronting the edge of Prospect Park is situated to the north of Bath Road, while an open field with several trees is situated to the south of the highway. South of the field is the Florian Gardens housing estate.

The proposal site also features an existing lamppost/monopole structure. The plans indicate that the antenna is to be removed from this structure, with the lamppost retained. As demonstrated on figures 3 and 4, the antenna just sticks out above the canopy. Due to the growth of the trees along this road (at the time the above photographs were taken), it is difficult to make out the existing cabinets, albeit this is less so at other times of the year

(see figure 5 below for example). This is largely attributed to the shadowed cover of the pavement provided by the trees. The height of the existing lamppost/monopole structure is 13.2m.



Fig 4. Viewing Angle 2, heading westbound along Bath Road. Photo taken on 06/07/2020.

The proposed 20m monopole is proposed to be sited approximately 8m east of the lamppost/monopole structure. Any structure of this size would be highly visible along the highway. Based on the findings from the site visit and the existing growth of the trees along Bath Road, it is considered that the proposed 20m would be largely obscured (at some points of the year) to a height of 10m to 12m. This would mean that the associated antennas would be visible. It should be noted that this is the view considered based on the setting and growth of the trees as witnessed on 06/07/2020 (site photos taken to assess application 200672). A 20m monopole would be more visible than the existing 13.2m monopole and this additional height of the monopole is considered considerable, and would no doubt be noticeable within the street scene, protruding from the canopy. An additional site visit was conducted on 17/03/2021, given the time of year and the nearby deciduous trees (see fig 5), it is considered that proposed the monopole would be significantly visible during the autumn and winter seasons.

In relation to policy EN1 of the Reading Borough Local Plan (Adopted November 2019), proposals which affect Historic Parks (such as Prospect Park the site adjoins) should not detract from the character, appearance and setting of the Historic Parks (amongst other matters). Put simply, a monopole which far exceeds the canopy cover in the vicinity - and therefore unlike the existing situation) would detract from the character, appearance and setting of the historic park. It is considered that the 20m monopole would detract from views in and out from the historic park. The monopole would be highly visible along Bath Road, while within the park looking south there would also be a change in the largely verdant

character at this point. Given the historic park setting in relation to Prospect Park, it is considered that the proposal, by virtue of its height, would detract from the character and appearance of the historic park.

The National Planning Policy Framework (NPPF) (Feb 2019) states that; “Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate”. This is not considered to have been achieved in this instance, owing to the designated status of the historic park.

Amenity and Accessibility

The proposal site is located on the north side of Bath Road, adjacent to Prospect Park. The nearest residential area is approximately 80m south of the proposal site at Granville Road. By virtue of the location and nature of the proposed development, there is not considered to be harm to the living conditions to nearby residents with regards to overbearing development or any other criteria listed under policy CC8 of the Reading Borough Local Plan to the point of refusal.

In accordance with the accessibility and ease of movement aspect of policy CC7 of the Reading Borough Local Plan, the proposed development is considered to allow for appropriate movements along the adjacent pathway to the north of Bath Road. The proposed development is considered to allow for the free movement of highway traffic in accordance with policy TR3 of the Reading Borough Local Plan.

Tree Matters - Siting

In the first instance, the proposed siting of the development was not considered acceptable by the Reading Borough Council Natural Environment Officer. This is in relation to the existing trees surrounding the proposal site. It was also pointed out that the tree information submitted to support the application is fairly poor and generic. The Natural Environment Officer requested an accurate tree survey be undertaken, as well as any details excavation to facilitate the installation of the monopole and associated cabinets, and an Arboricultural Method Statement.



Fig 5. Photo of proposal site taken within Prospect Park. Photo taken on 17/03/2021.

When the application was reassigned to a new case officer on 09/02/2021, no further arboricultural information had been submitted since the advice from the Natural Environment Officer was provided on 09/10/2019. The response from the Natural Environment Officer was re-provided to the agent, giving context to the intended reason for refusal for this application in this respect on 19/02/2021. No further comment or supporting information was received from the agent. Therefore, there has been a failure to demonstrate that the proposed development would not detrimentally impact on nearby mature trees and highway trees, contrary to policies CC7 and EN14 of the Reading Borough Local Plan.

Alternative Sites

No alternative sites have been presented within this application for the proposed development. It is stated in the Site Specific Supplementary Information within this proposal that site was selected based on the fact the LPA previously agreed development on site. While this justification does not directly refer to application 151565, it is assumed that the existing lamppost/monopole structure and associated cabinets are the justification for the siting of the proposed 20m monopole and associated cabinets.

It was also stated within the Site Specific Supplementary Information that discounted options were supplied within the original planning submission. It is not stated which submission this refers to. Discounted options were not presented within this application. As the details of discounted sites have not been provided, it is considered that it has not been demonstrated that alternative sites and site-sharing options have been fully investigated, contrary to policy OU3 of the Reading Borough Local Plan.

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 not provided an ICNIRP certificate to support this planning application. Therefore, it has not been certified 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. A submitted ICNIRP certificate would have confirmed that the proposed development 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.

In addition, the Mobile Telecommunications and Health Research Programme (MTHR) concluded 11 years of research into mobile phones and health issues with their report of 2012. This determined that there was no association between exposure to mobile phones, or base stations, and an increased risk of developing cancer.

As an ICNIRP has not been provided to support this application, despite the agent being informed of this on 19/02/2021, it not considered that the proposed development would be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of ICNIRP meaning the health implications of the proposal are not known and so is not considered acceptable in relation to Policies OU3 (see supporting text at paragraph 4.7.22) and EN16 of the Reading Borough Local Plan (2019).

Air Quality

This proposal has been considered against Reading Borough Local Plan policy EN15, as the proposal site is within an Air Quality Management Area (AQMA). As demonstrated in the policy, this proposal does not meet the requirements for an Air Quality Assessment (AQA) and is considered not enough of a detrimental impact air quality to warrant such an assessment due to the size and scale of the proposal.

Progress of Application

A series of communications were undertaken with the agent in the weeks immediately prior to the decision being issued, summarised below:

Comm. Method	Date	From	To	Details
Email	09/02/2021	Case Officer	Agent	Informed agent that the case officer for application 191499 had changed. Requested an update from the agent's perspective on the application.
Email	10/02/2021	Agent	Case Officer	Agent advises that all he has on file are unanswered emails. Informs the officer of a willingness to provide supporting information if requested.
Email	10/02/2021	Case Officer	Agent	Informed the Agent that the case will be re-reviewed, with feedback to be provided on the application by 19/02/2021.

Comm. Method	Date	From	To	Details
Email	10/02/2021	Case Officer	Agent	Agent sought to agree an extension of time on the decision for this application to 24/03/2021.
Email	11/02/2021	Agent	Case Officer	Agent agrees to the extension, but that the client will be unwilling to extend any further.
Email	19/02/2021	Case Officer	Agent	Agent is provided feedback on the application. Agent informed that it is considered that revisions or additional information will not overcome officer concerns. Case Officer also attached the email response received from the RBC Natural Environment Officer dated 09/10/2019 (see Internal Consultations section of this report), as the issues raised had not been addressed. Agent also informed that an ICNIRP Declaration was not on file for this application. Based on this, agent informed that a refusal decision will be issued on 24/03/2021, unless the application is withdrawn by 9am on 19/03/2021.

No response was received from the agent to the email from the Case Officer dated 19/02/2021 regarding this application.

Conclusion

On balance, it is considered that the proposal has failed to demonstrate that the inherent benefits of the proposal in terms of an improved communications network outweigh the harm caused by the proposed development.

It is considered that the proposal would detrimentally impact the visual amenity, character and appearance of the historic park setting by virtue of the height of the 20m monopole. It is considered that the 20m monopole would compromise key views out from the park, with the height of the proposal protruding from the existing canopy of highway trees along Bath Road. The proposed monopole being double the height of the existing tree canopy.

The siting of the proposed monopole and associated cabinets is not considered acceptable based on the tree information provided. The limited tree information provided has failed to demonstrate that the proposed development would safeguard the existing highways trees either at the time of the construction or thereafter. The failure to demonstrate appropriate mitigation towards the highway trees is considered a siting issue.

An ICNIRP Certificate has also not been provided, meaning the health implications of the proposal are not known and so is not considered acceptable in relation to Policies OU3 (see supporting text at paragraph 4.7.22) and EN16 of the Reading Borough Local Plan (2019).

As the details of discounted sites have not been provided, it is considered that it has not been demonstrated that alternative sites and site-sharing options have been fully investigated, contrary to policy OU3 of the Reading Borough Local Plan (2019).

Reasons for refusal:

1. The proposed development, by reason of its siting, has failed to demonstrate that it would not detrimentally impact on nearby highway trees through direct harm to the root systems or by future pruning requirements to maintain network coverage, contrary to Policies CC7 and EN14 of the Reading Borough Local Plan (Adopted November 2019).

2. The proposed 20m high monopole, by reason of its height, would detract from the appearance of the designated historic Prospect Park, contrary to Policies EN1 and OU3 of the Reading Borough Local Plan (Adopted November 2019).
3. The proposed development has failed to demonstrate that it would be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of ICNIRP (International Commission on Non-Ionizing Radiation Protection) and as such the health implications of the development, with respect to its specific siting, have not been demonstrated, contrary to Policies OU3 and EN16 of the Reading Borough Local Plan (Adopted November 2019).
4. 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).

Recommendation

REFUSE

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 agreed extended timescale 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. Please see the following link to the Council's pre-application service here:

http://www.reading.gov.uk/media/1190/Pre-Application-Enquiry-Form/pdf/Pre-app_Nov_2016.pdf

I00: Plans

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

Plans Considered:

- 002 Site Location Plan - 987048_RDG020_51640_RG4283_M001 Issue: A
- 100 Existing Site Plan - 987048_RDG020_51640_RG4283_M001 Issue: A
- 150 Existing Elevations A - 987048_RDG020_51640_RG4283_M001 Issue: A
- 215 Max Configuration Site Plan - 987048_RDG020_51640_RG4283_M001 Issue: A
- 265 Max Configuration Elevation - 987048_RDG020_51640_RG4283_M001 Issue: A
- Site Specific Supplementary Information

These plans were received on 17th September 2019