

OFFICERS REPORT

Application No: Y16/1377/SH

Location: Communications Mast Princes Parade Hythe Kent

Proposal Erection of a replacement monopole, three antennas and one new equipment cabinet (telecommunications development).

ASSESSMENT

Performance data:-

Date application valid: 15.12.2016

Applicable 8/13/16 week target date: 09.02.2017

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) No.

If Yes, revised 8/13/16 week target date: NA

Is the application being determined after 26 weeks without a PPA or a PEA? No.

APPLICANT: MBNL and EE LTD
AGENT: Neale Property Services

SITE

The site is within the coastal area of Princess Parade within Seabrook. The site is inside the settlement boundary which is a predominantly residential area.

The immediate site is an existing telecommunications compound which has a twelve metre mast positioned upon the south side of Princess Parade at the far eastern end adjacent to the Royal Military Canal. The site is adjacent to a Southern Water pumping station and the recently constructed block of residential apartments known as Olivia Court which is to the east and the Seapoint canoe centre, public car park and children's play area to the west. Positioned at the end of the canal, the area has a leafy, green, spacious, landscaped character with long views west along the canal bank.

SITE VISIT

A site visit was carried out on the 21.12.2016, where the site was viewed from the surrounding vantage points along the sea front promenade to the south, west and east, from Seabrook Road to the north and along the canal path to the west.

HISTORY

The most recent and relevant is set out below;

Y02/1018/SH - Erection of a 12 metre boat mast with 2 antennae and 2 equipment cabinets within a fenced compound.

Y01/0891/SH - Erection of a 10 metre high false timber telegraph pole to support 3 No. antennas together with associated equipment cabinets and compound area (56 day notification).

PROPOSAL

This application is a telecommunications application and seeks full planning permission for the erection of a 20 metre monopole, 3 new replacement antennas and 1 additional equipment cabinet. The monopole would be constructed of steel and GPR and coloured grey. The proposal is required to provide a replacement for the loss of signal coverage to the north east, together with the provision of 4G coverage proposed for the future.

CONSULTATIONS

Hythe Town Council - No objection
Environmental Health - No objection.
Southern Water - No objection.
Natural England - No comments received.

REPRESENTATIONS

None received.

PUBLICITY

Site Notice - Expiry 13.01.2017
Press Notice - Expiry 19.01.2017
Neighbour letters - Expiry 06.01.2017

POLICIES

Shepway District Local Plan Review - SD1, BE1, TR12, TM8.
The Shepway District Core Strategy - DSD, SS1, SS3, CSD7.
The National Planning Policy Framework 2012, Paragraphs 42-46.
The National Planning Policy Guidance 2014.

APPRAISAL

The principle issues for consideration in the determination of this application are the need for the development as communications infrastructure, the visual impact of the new mast and equipment and the impact upon the residential amenities of neighbouring occupiers.

NEED

The principle reason for this telecommunications development proposal centres purely on need. Currently 2G and 3G coverage to the local area has been significantly affected by the construction of the block of residential apartments (Olivia Court) adjacent to the existing mast where coverage to the north east has been blocked by the physical presence of the building. 2G and 3G signal cannot penetrate this building therefore leaving significant areas of Hythe

and Sandgate without service. Regrettably this was not considered or brought to the attention of the Local Planning Authority during the planning and delivery of Olivia Court.

Furthermore, there is also the health and safety issue to address, where owing to the height of the building, the current mast would be firing signal directly into the residential flats of Olivia Court therefore requiring one of the antennas to be switched off at such close proximity.

As such, the scheme represents a critical upgrade of an existing site in order to restore, and provide improved network coverage and capacity, and to expand EE's services, notably in the provision of broader 4G services.

As this is an upgrade of an existing installation, no alternative sites were realistically considered. Upgrading an existing installation is preferable to the alternative of seeking to deploy a new site or installation.

It is considered that the only feasible, practical and available solution is to significantly increase the height of the installation to 20 metres. This is proposed at an existing station using existing equipment.

In policy terms, at the national level, the NPPF advises that, LPA's should support high quality communications infrastructure. Paragraph 42 of the NPPF states,

"Advanced, high quality communications infrastructure is essential for sustainable economic growth".

Furthermore, under Paragraph 43, the NPPF states,

"In preparing Local Plans, Local Planning Authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband". Existing masts, buildings and other structures should be used, unless the need for a new site has been justified.

At the local level, whilst the Local Planning Authority (LPA) does not have a specific saved policy within the Local Plan Review, the LPA does not wish to see the loss of coverage within the district and a sustainable location such as this. Core Strategy Local plan policy SS3 f) does also seek for developments to address social and economic needs which this development is considered to accord with.

On this basis it is considered that there is a genuine need identified which has policy support as set out in the NPPF: 2012.

VISUAL

With regard to the visual impact, firstly it must be recognised that the site already contains a mast of a reasonable height at twelve metres. This is very visible from vantage points to the south, west and north but is considered to sit relatively discretely within the locality being positioned next to the large apartment block, Olivia Court.

As proposed, the twenty metre mast would be a lot taller and prominent within the area where it would protrude above Olivia Court and be visible from all directions, including from the east, where currently the mast is mainly screened by the building.

It is considered that, regrettably, the increased visual prominence is inevitable however is justified by the situation that has been caused by Olivia Court where it is not considered to be demonstrably harmful. In this regard, the mast would still remain as a slim monopole with small dishes and integral antennas that would not appear bulky, unduly top heavy or visually incongruous and when compared to a lattice mast or similar, this type of mast is considered the best option to reduce visual prominence. It is also proposed to be coloured grey which is a recessive acceptable colour. It is considered that Olivia Court visually dominates the local

skyline being a very large building where this development would not significantly change this situation detrimentally.

Whilst this location is not ideal, where a less open and prominent location would be more favourable, the location provides the best network coverage and would replicate the current situation. The principle of siting a telecommunication mast here has already been agreed under the original 2002 permission.

Ancillary equipment is proposed at the base of the mast which is small and compact being positioned immediately below and around the foot of the mast. The equipment being small, low in height and at ground level is not considered would have a significant visual impact.

Concerning the Canal and its setting as a Scheduled Ancient Monument, it is considered that the new mast would be sited in the approximate same location as existing which would not interfere with important site lines of gun emplacements and the increase in height would not significantly affect the setting given the presence of the large residential block and would not be demonstrably more harmful than existing. As such it is considered that setting of the SAM will not be harmfully affected. English Heritage were consulted but have not commented.

It is therefore considered that whilst the mast would be tall and prominent, the need to restore signal coverage through the extra increase in height justifies the visual impact and on balance is considered acceptable.

RESIDENTIAL AMENITIES

One of the reasons for replacing the mast, is to remove the possible health and safety risk associated with signal firing directly into the flats. This development will remove that risk and allow the mast to operate normally and be ICNIRP compliant.

The current mast is also at a very similar height to the top of the flats and balconies and the occupier's eyesight creating a perception of being very close. The proposed new mast will extend above the flats and remove this issue. As a single slim line monopole mast, this is not considered to be overbearing either. The application has been accompanied with an ICNIRP certificate so there are no health issues and the application would be compliant with current regulations.

The ancillary ground equipment is considered to be small and would be sited within the ground compound and not result in any amenity issues.

Following publicity, I have not received any representations from nearby occupiers (particularly of Olivia Court) and therefore the development is considered to safeguard the amenity of residents.

Southern Water also has a pumping station adjacent, which would not be affected. Southern Water has been consulted and raised no objection.

HIGHWAYS

It is not considered that there would be any impact upon the local highway. The site compound is accessible by means of a driveway access off Seabrook Road.

OTHER

Archaeology - Minimal excavations (within existing disturbed ground) would be needed for this installation therefore there is no need for archaeological measures.

Landscaping - No loss of landscaping.

ICNIRP - A Declaration of Conformity with the ICNIRP Public Exposure Guidelines has been submitted with the application.

RECOMMENDATION

In light of the above, it is considered the proposal is a sustainable development that would ensure full network coverage to the affected areas. On this basis, it is considered that the development complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

Case Officer:

Report and draft decision notice completed and passed to senior officer.

Name: JM LING Position: Senior Planning Officer Date: 03.02.2017

Report and draft decision notice amended (if appropriate)

Name: Position: Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name: Position: Date:

Report and draft decision notice agreed and file passed to admin to issue decision.

Name: C Dethier Position: DM Team Leader Date: 8/2/17