

# Development Management Delegated Decision Report

B/21/0352



SUMMARY OF APPLICATION			
Application Reference	B/21/0352		
Application Type	Prior Notification under Part 16 - Telecomms		
Proposal	Application to determine if prior approval is required under Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for:  Proposed Arqiva Smart Metering 1no. Omni at 13.83m, Mean Mounted on proposed 12m Streetworks Pole, Proposed Arqiva Smart Metering 1no. GPS Antenna at 12.4m Mean Mounted on proposed Streetworks Pole, Proposed Arqiva Smart Metering 1no. 3G Omni Antenna at 12.22m Mean Mounted on proposed Streetworks Pole, Proposed Arqiva Smart Metering Equipment Enclosure Mounted on a root foundation		
Location	Verge at A16, Spalding Road, Kirton, Boston PE20 1HX		
Applicant	Arqiva Ltd, Arqiva Ltd		
Agent	Damian Hosker, WHP Telecoms Limited		
Received Date:	22-Jul-2021	Consultation Expiry Date:	26-Aug-2021
Valid Date:	22-Jul-2021	Statutory Expiry Date:	16-Sep-2021
Date of Site Visit:	05-Aug-2021	Extension of Time Date:	N/R
Objections received?	None		
5 day notification record: N/A			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Prior Approval required and Granted		
Report by:	Emma Dennis		
Date:	13/09/2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located on the edge of a residential neighbourhood, alongside the A16 within the settlement of Kirton. There are no listed buildings in close proximity and the site is outside of the Kirton Conservation Area.

Another Monopole located 2m north of the one proposed and is approximately 10m in height.

### DETAILS OF PROPOSAL:



Prior Approval is sought to:

- Proposed Arqiva Smart Metering 1no. Omni at 13.83m, Mean Mounted on proposed 12m Streetworks Pole,
- Proposed Arqiva Smart Metering 1no. GPS Antenna at 12.4m Mean Mounted on proposed Streetworks Pole,
- Proposed Arqiva Smart Metering 1no. 3G Omni Antenna at 12.22m Mean Mounted on proposed Streetworks Pole,
- Proposed Arqiva Smart Metering Equipment Enclosure Mounted on a root foundation

### **RELEVANT HISTORY:**

There is no relevant history on this site.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

#### **South East Lincolnshire Local Plan (2011-2036)**

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 2: Development Management;
- Policy 3: Design of New Development; and
- Policy 5: Meeting Physical Infrastructure and Service Needs

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

#### **National Planning Policy Framework (2021)**

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making; and
- Section 10: Supporting high quality communications

#### **National Planning Practice Guidance (PPG)**

### **CONSULTATION RESPONSES:**

No consultee responses have been received.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No third party representations have been received.

### **EVALUATION:**

This application is submitted under Part 16, Class A of Schedule 2 of the Town and Planning Country Planning (General Permitted Development (England)).

The proposed mast and ancillary cabinets fall under development permitted by Class A of Part 16 of the GPDO. However, the proposal is permitted development providing it satisfies the condition criteria set out under Paragraph A.2 and A.3.

### **Condition A.3 – Prior Approval**

The issues that need to be considered are whether or not the proposals comply with the aforementioned and in particular relate only to the siting and appearance of the proposed communication equipment.

#### **Effect on appearance of the area**

It is noted that the application site is not within, nor affects the setting of a conservation area, and it does not affect the setting of a listed building, with the closest listed building being over 300m away. Due to the close proximity of the A16 there is the presence of several street lighting columns and directional road signs, the proposed monopole would be read against this backcloth and not appear untoward.

#### **Effect on Highway Safety as a result of the siting**

It is proposed to erect the monopole and equipment on the grass verge adjacent the A16, 6m away from the adjacent public footpath which will avoid impeding pedestrian flow. The proposed monopole will be sited in an area that also contains directional road signs, however, the monopole is to be set back enough from the side of the A16 to ensure road users still have clear sight of these signs.

#### **Impact on residential amenity as a result of the siting**

To the north and west of the application site is a residential neighbourhood with the closest dwelling being approximately 22m from the proposed monopole and cabinet. Even with the presence of these two and three storey properties it is not considered that this proposed monopole and cabinet would create a negative impact as it is to be site among a row of established trees and hedges which will partially shield it from view from the residential neighbourhood.

### **CONCLUSION:**

In all, it is considered that the proposed apparatus will not harm the character and appearance of their surroundings or the amenity of neighbouring land users.

It is considered that prior approval is required and should be granted for the proposed development based on the information provided.

### **RECOMMENDATION:**

Prior approval required and granted.

CONDITIONS / REASONS			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	

1.	<p>The development hereby permitted shall be begun before the expiration of five years from the date of this approval.</p> <p><b>Reason:</b> Required to be imposed pursuant to Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p>
2.	<p>The development hereby permitted shall not be carried out except in complete accordance with the following details shown on the submitted plans:</p> <ul style="list-style-type: none"> <li>▪ 307338-00-004-ML001 Rev 1 Site Location Plan</li> <li>▪ 307338-01-100-MD002 Rev 2 Proposed Site Plan</li> <li>▪ 307338-01-101-MD002 Rev 2 Proposed Equipment Plan</li> <li>▪ 307338-01-150-MD002 Rev 2 Proposed Elevation</li> </ul> <p><b>Reason:</b> To ensure the development is undertaken in accordance with the approved plans and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>	