

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

**APPLICATION No:** S6/2014/2605/DT

**SITE ADDRESS:** Comet Way, Hatfield

**DESCRIPTION OF DEVELOPMENT:** Replacement of existing 12 metre telecoms pole with new 15 metres telecoms pole and 2 no. Cabinets

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**RECOMMENDATION:** PRIOR APPROVAL NOT REQUIRED

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**1. SITE AND APPLICATION DESCRIPTION:**

The application site is located on the western side of Comet Way, on a grass verge between the dual carriageway and the pedestrian and cycle paths. Approximately 47m away to the west of the site lies Hatfield Police station and Magistrates Court, elements of which are Grade II listed. There are no residential properties within the immediate vicinity and there are no other constraints affecting the site.

This application seeks prior approval for the replacement of an existing 12 metre telecoms pole with a new 15 metres telecoms pole and the construction of 2 no. Cabinets associated with the tower.

**2. SITE DESIGNATION:**

The site lies within Hatfield as designated in the Welwyn Hatfield District Plan 2005.

**3. RELEVANT PLANNING HISTORY:**

None relevant

**4. CONSULTATIONS:**

None

**5. NEIGHBOUR REPRESENTATIONS:**

None

**6. TOWN/PARISH COUNCIL REPRESENTATIONS**

None

**7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:**

The main planning issue to be considered during the determination of this application is:

- a) Whether the prior approval is required for the siting and appearance of the development

**8. ANALYSIS:**

**a) Whether the prior approval is required for the siting and appearance of the development.**

The application is for Prior Approval under Condition A.3 (3) of Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001 for its siting and appearance.

In determining a prior approval application for development by a telecommunications code systems operator the Council must consider the acceptability of the proposal in terms of its siting and design only. Guidance is provided by Policy R21, *Telecommunications Development*, of the adopted District Plan, as well as the National Planning Policy Framework in particular Section 5, which deals directly with the development, support and need for high quality communications infrastructure. Furthermore policies D1 and D2 of the District Plan are relevant which seek a high standard of design and that development respects and relates to its context.

Factors to be considered concerning the appearance of a mast and ancillary apparatus include materials, colour and design. The use of appropriate materials and colouration may allow a mast or equipment to blend more easily into its surroundings. Features of design which an authority may wish to consider include dimensions; overall shape; and whether the construction is solid or forms an open framework. They should also consider with the developer the availability of alternative designs which might be more suited to the local environment.

In considering the siting and appearance of a mast together with any associated equipment or development, the scope for landscaping and screening to reduce the impact of the development on its surroundings is an important consideration.

Guidance is provided by Policy R21 of the adopted district plan. There are nine requirements under Policy R21 and each will be considered in turn in respect of this proposal:

- (i) *For new free standing masts, the applicant must be able to demonstrate that there are technical reasons which prevent the installation of the apparatus on existing masts, buildings or other structures.*

The applicant has explained that the monopole antenna, replacing the existing tower at an established telecommunication installation, and associated cabinets are to upgrade the existing installation with new equipment to facilitate 2G, 3G and 4G coverage.

- (ii) *New free standing masts must have sufficient spare capacity to allow mast sharing, subject to any technical or environmental constraints, which will be secured by the use of planning conditions or Section 106 Agreements.*

The applicant has confirmed that the mast would be shared by both Vodafone and O2. The works are therefore acceptable in this regard.

*(iii) All applications and determinations must be accompanied by information on the level of emissions likely to be generated by the installation and the level of emissions must fall within the ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines and the advice contained in PPG8 in relation to emissions near college, school, nursery or pre-school playgroup grounds and buildings.*

An ICNIRP declaration and clarification statement has been provided in this instance to confirm that the installation will conform to all the guidelines set out by ICNIRP. In such cases government guidance states that it should not be necessary to consider further the health aspects and concerns about them when dealing with an application for prior approval.

*(iv) Clear public exclusion zones should be placed around all base station antennae together with appropriate warning signs.*

The application is for prior approval for the siting and appearance of the development, and this is not a consideration for this application.

*(v) All applications and determinations received for mobile phone masts, base stations and transmitters proposed near college, school, nursery or pre-school playgroup locations must include details of consultation in line with PPG8 or its successor.*

The siting of the proposal is not immediately close to a college, school, nursery or pre-school playgroup locations.

*(vi) The development must not harm the appearance of the street scene nor appear visually intrusive*

The proposed development would be located adjacent to a dual carriageway, within a streetscene comprised of street furniture (lighting) that is of a substantial height to appropriately illuminate the adjacent highway.

The proposed replacement mast would be approximately 3m greater in height than the existing tower. However, the proposed cabinets would be no greater than the maximum height of the existing cabinets at the site. Though the proposed mast would exceed the height of the existing, having regard to the build and scale of adjacent street lighting, it is considered that the mast would not result in a dominant, incongruous, feature within the streetscene. Furthermore, having regard to the build and scale of the associated cabinets, to be located within an existing telecommunications installation, it is considered that these elements of the development would not result in significant visual clutter within the streetscene to the extent that would warrant an objection in this regard.

Having regard to the above, in particular as the equipment would be located in an existing telecommunications installation, it is considered that the works would not be visually intrusive and would preserve the harmony of the existing streetscene.

*(vii) The development must not harm the character of a Conservation Area nor the character and setting of a Listed Building.*

The proposed equipment would be located in excess of 45m from the nearest listed building, which is to the west of the site. On this basis, and as there is an existing telecommunications tower and associated equipment at the site, it is considered that the works would not harm the special architectural and historic interest of this building.

*(viii) If erected on a building, it must not be out of keeping with the building, in terms of siting, scale, size, profile and colour, so as to harm the appearance of the building.*

The proposal would not be on a building.

*(ix) If proposed in areas designated for their landscape, historic or nature conservation importance, including Conservation Areas and the Green Belt, applicants must be able to demonstrate why sites outside these areas cannot be used.*

None of the above constraints apply to the application site.

## **9. CONCLUSION:**

Prior approval of the siting and appearance impacts of the works is not required from the Local Planning Authority and is given.

## **RECOMMENDATION: PRIOR APPROVAL IS NOT REQUIRED**

1. The proposed development is permitted development in accordance with Condition A.3 (3) of Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001 and prior approval of the siting and appearance on the site is not required from the Local Planning Authority.

## **PLANS AND INFORMATION SUPPLIED TO THE LOCAL PLANNING AUTHORITY**

Drawing nos. 300 & 301 & 100 & 200 & 201

## **INFORMATIVES:**

1. This written notice indicates that the proposed development would comply with Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001.

**Signature of author..... Date.....**