

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2019/2945/PN15
Location: Trident Place, Unit 3 Mosquito Way Hatfield AL10 9BW
Proposal: Prior approval for the installation of a telecommunications apparatus and support structure onto building roof top and ancillary works
Officer: Ms Lucy Hale

Recommendation: Prior Approval Required and Granted

6/2019/2945/PN15

Context	
Site and Application description	<p>The site is located within Trident Place which comprises a group of six office buildings. The buildings are four storeys in height and similar in appearance. Trident Place lies within the context of the much wider Hatfield Business Park development. The surrounding area is characterised a range of commercial uses, including offices, warehouses and a car dealership. The A1001 Comet Way passes to the east of the site, beyond are residential dwellings in the distance.</p> <p>Prior approval is sought for the relocation of the existing communication base on Building 1 within Trident Place to the roof top of Building 3 which is occupied by the mobile Operator Everything Everywhere (part of BT) as part of the planned upgrade program.</p> <p>The works comprise the installation of electronic communications apparatus and support structures onto the building roof top with ancillary works. These include:</p> <ul style="list-style-type: none"> • 3 x pod support structure 6 m high with 4No. 2200mm x 550mm x 350mm antenna apertures • Grillage on concrete plinths for x9 cabinets • Climbable wall mounted to dish support pole
Constraints (as defined within WHDP 2005)	<p>PAR - PARISH (HATFIELD) Wards - Hatfield Villages</p>
Relevant planning history	<p>Application Number: 6/2019/2357/CN Decision: Decision Date: 22 October 2019 Proposal: Proposed upgrade works at telecommunications base station</p> <p>Application Number: 6/2017/0338/FULL Decision: Granted Decision Date: 26 April 2017 Proposal: Relocation of an existing refuse enclosure, (bin store) and</p>

<p>formation of a new enclosure to accommodate an emergency power back-up generator.</p> <p>Application Number: S6/2001/1462/DE Decision: Granted Decision Date: 01 February 2002 Proposal: Erection of buildings to provide 81, 644 sq metres of accommodation for purposes within use class b1, with associated access, parking and landscaping. (amendment to reserved matters approval s6/2001/0031/de to incorporate additional reception area, enclosed pedestrian links and 18 additional car parking spaces</p> <p>Application Number: S6/2001/0031/DE Decision: Granted Decision Date: 09 March 2001 Proposal: Erection of a building to provide 81,000sq m of accommodation for purposes within use class b1 with associated access, parking and landscaping</p> <p>Application Number: S6/1999/1064/OP Decision: Approval Subject to s106 Decision Date: 29 December 2000 Proposal: Demolition of existing (unlisted) buildings, removal of runway and other hard standing areas and redevelopment for the following purposes: as a business park comprising uses within use class b1, b2, b8 and sui generis use; housing; new university campus (use class d1 and d2) to include replacement de havilland sports and social club and associated playing fields; two hotels; primary school and associated facilities; district centre; works of conversion to enable recreation use of existing listed hangar; aviation heritage centre. together with associated highway, transport and service infrastructure (including a strategic transport corridor), landscaping and open space, diversion of ellenbrook. means of access to be determined</p>			
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 28 November 2019 Site Notice Expiry Date: 19 December 2019		
Summary of neighbour responses	None		
Consultees and responses	WHBC Public Health and Protection – No objection Hertfordshire County Council Transport Programmes & Strategy – No objection		
Main Issues			
Transport/highways	N/A		
Noise	N/A		
Flooding	N/A		

Contamination	N/A
Any other considerations	<p>The main planning issues with this application are:</p> <p>a) Is the development permitted under The Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016, Part 16, Schedule 2, Class A, communications or does it need Prior Approval or Planning Permission</p> <p>b) Whether the prior approval is required for the siting and appearance of the development</p> <p>a) Is the development permitted under The Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016, Part 16, Class A, communications or does it need Prior Approval or Planning Permission</p> <p>Development is permitted by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of—</p> <p>(a) the installation, alteration or replacement of any electronic communications apparatus, (b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or (c) development ancillary to radio equipment housing.</p> <p>Development not permitted: ground-based apparatus – N/A</p> <p>Development not permitted: building-based apparatus other than small antenna and small cell systems</p> <p>Part A.1 (2) - Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than small antenna and small cell systems) on a building is not permitted by Class</p> <p>A(a) if—</p> <p>(a) the height of the electronic communications apparatus (taken by itself) would exceed—</p> <p>(i) 15 metres, where it is installed on a building which is 30 metres or more in height; or - The building is approximately 20.7m in height and therefore this is not applicable</p> <p>(ii) 10 metres in any other case; - Compliant</p> <p>(b) the highest part of the electronic communications apparatus when installed, altered or replaced would exceed the height of the highest part of the building by more than—</p> <p>(i) 10 metres, in the case of a building which is 30 metres or more in height; - not applicable due to the height of the building</p> <p>(ii) 8 metres, in the case of a building which is more than 15 metres but</p>

- less than 30 metres in height; or - **Compliant**
- (iii) 6 metres in any other case; - **not applicable due to the height of the building**
- (c) in the case of the installation, alteration or replacement of a mast on a building which is less than 15 metres in height, the mast would be within 20 metres of the highway (unless the siting remains the same and the dimensions of the altered or replaced mast are no greater); - **not applicable**
- (d) in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is less than 15 metres in height; on a mast located on such a building; or, where the antenna is to be located below a height of 15 metres above ground level, on a building (other than a mast) which is 15 metres or more in height - **N/A – the building is over 15m in height**
- (e) in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is 15 metres or more in height, or on a mast located on such a building, where the antenna is located at a height of 15 metres or above, measured from ground level—
- (i) in the case of dish antennas, the size of any dish would exceed 1.3 metres or the aggregate size of all the dishes on the building would exceed 10 metres, when measured in any dimension; - **Compliant**
- (ii) in the case of antennas other than dish antennas, the development would be on a building which is less than 30 metres in height and would result in the presence on the building of—
- (aa) more than 5 antenna systems; or - **Compliant – 3 antenna systems proposed**
- (bb) any antenna system operated by more than 3 electronic communications code operators; or - **Compliant – 2 operators proposed (EE & Three)**
- (iii) the building is a listed building or a scheduled monument; or - **N/A**
- (f) in the case of the installation of an antenna on electronic communications apparatus on a building on article 2(3) land - **N/A**

Development not permitted: apparatus on masts

A.1 (3) - **N/A**

Development not permitted: antennas and supporting structures installed, replaced or altered on article 2(3) land or land which is a site of special scientific interest

A.1 (4) - **N/A**

Development not permitted: electronic communications apparatus installed, replaced or altered on a dwellinghouse

A.1 (5) - **N/A**

Development not permitted: small antennas installed, replaced or altered on a building which is not a dwellinghouse

A.1 (6) - **N/A**

Development not permitted: ground or base area

A.1 (7) - **N/A**

Development not permitted: driver information systems

	<p>(8) The proposal would not consist of the installation, alteration or replacement of system apparatus within the meaning of section 8(6) of the Road Traffic (Driver Licensing and Information Systems) Act 1989(1) (definitions of driver information systems etc.). A.1 (8) - N/A</p> <p>Development not permitted: radio equipment housing A.1 (9) – N/A</p> <p><u>Conclusion:</u></p> <p>The proposed development is considered to comply Class A.1, of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2016.</p> <p>However the application also needs to meet the requirements under Class A.2 (conditions), in particular, the following:</p> <p>A.2 (3) (C) Class A development – (c) on unprotected land where the development consists of – (i) the installation of a mast; Is permitted subject..., to the conditions set out in paragraph A.3 (prior approval).</p> <p>A.3 (4) Before beginning the development described in paragraph A.2 (3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.</p>
<p>Whether the prior approval is required for the siting and appearance of the development</p>	<p>The application is for Prior Approval under A.3 (4) in Part 16 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016 for its siting and appearance.</p> <p>In determining a prior approval application for development by an electronic communications code operator the Local Planning Authority must consider the acceptability of the proposal in terms of its siting and appearance only.</p> <p>It is noted that the local Highways Authority have not raised an objection to the proposal.</p> <p>Guidance is provided by Policy R21, <i>Telecommunications Development</i>, 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.</p> <p>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</p>

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. 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 proposal would involve the removal of existing equipment on building 1 with new equipment to be installed on building 3 to accommodate 5G technology to facilitate significantly improved connectivity. As one of the buildings within Trident Place has existing equipment, this site is an established site for electronic communications apparatus and support structures and is considered to be the most appropriate for the upgrade.

(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 proposed monopole will provide new coverage shared for customers on the Everything Everywhere and Three networks.

(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 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, therefore, 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 application site is located on the roof top of a multi-storey office building within Trident Place, which comprises a group of six office buildings which are similar in appearance with associated car parking and landscaping. Trident Place lies within the context of the much wider Hatfield Business Park development. The surrounding area is characterised a range of commercial uses, including offices, warehouses and a car dealership. The A1001 Comet Way passes to the east of the site, beyond are residential dwellings.

The proposal comprises the installation of pod structures to support antenna clusters with associated equipment. The antennas would measure 2.2m in height x 0.55m in width x 0.35m depth above a supporting structure, at a maximum height 6m. The proposed antenna structures will be galvanised steel and the equipment cabinet's colours green or grey. Two of the clusters would be located on the south west end of the roof of the building, adjacent to the internal courtyard of Trident Place and the additional cluster would be located on the south east end of the roof adjacent to A1001 Comet Way.

The building measures approximately 20.7m in height as a result of the existing plant room above roof level which is stepped from the surrounding eaves. The proposed equipment would measure approximately 2m above the highest point of the building, being the plant room. As a result, the proposed development would be visible from the streetscene.

Views of the development would be gained from the A1001 Comet Way to the east of the site, however these would be distant and the proposal would sit alongside a number of multi-storey buildings within Trident Place and screened by the dense vegetation which bounds the site. Mosquito Way is located to the west of the site where the clusters would be visible from the streetscene, however views would again be distant due to the set back of the building from the road and would be viewed against the context of a large multi-storey modern building, located with five others. The scale of the development in comparison and within the context of the wider business park, would not result in an incongruous or unduly dominant form of development. Furthermore, this form of equipment has been established on a neighbouring building within the wider site. It is not considered that the proposal would appear intrusive or harmful to the appearance of the streetscene.

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

The development site is not located in a Conservation Area or close to

	<p>a Listed Building.</p> <p><u>(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.</u></p> <p>The proposal comprises the installation of pod structures to support antenna clusters with associated equipment. The antennas would measure 2.2m in height x 0.55m in width x 0.35m in depth above a supporting structure, at a maximum height 6m. The proposed antenna structures will be galvanised steel and the equipment cabinet's colours green or grey. The clusters would sit in line with the plant room located on the roof of the building, albeit measuring approximately 2m higher. The volume, amount and siting of the equipment would not overwhelm the host building in regard to scale and the use of galvanised steel would blend with the colour palette of the host building. The host building is located within a business park and therefore the presence of this form of development within the context is not uncommon. Furthermore, electronic telecommunications equipment has been established on a neighbouring building. It is considered that the appearance of the building would not be harmed as a result of the proposal.</p> <p><i>(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.</i></p> <p>The site is not located within an area of historic or nature conservation importance or a conservation area.</p>
Conclusion	
<p>It is considered that the proposed equipment would be compliant with Schedule 2, Part 16 Class A of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016.</p> <p>Whilst there would inevitably be a visual impact as a result of the development, it is considered that siting, scale, bulk and design of the proposal, alongside the context and character of the application site and wider area, would not result in an intrusive or out of keeping development that would result in harm to the appearance of the building or character of the streetscene. For these reasons, no objections are raised with regards to the siting and its appearance.</p>	

DRAWING NUMBERS

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
813159_WE H011_61157	B	002 Site Location Plan	25 November 2019

_AL0086_M0 02			
813159_WE H011_61157 _AL0086_M0 02_MBNL TA_B 090819		100 Existing Site Plan	25 November 2019
813159_WE H011_61157 _AL0086_M0 02	B	150 Existing Elevations A	25 November 2019
813159_WE H011_61157 _AL0086_M0 02_MBNL TA_B 090819	B	215 Max Configuration Site Plan	25 November 2019
813159_WE H011_61157 _AL0086_M0 02_MBNL TA_B 090819		265 Max Configuration Elevation	25 November 2019
813159_WE H011_61157 _AL0086_M0 03	B1	266 Max Configuration Elevation B	16 January 2020

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Determined By:

Mr Mark Peacock
17 January 2020