

**SITE PLAN ATTACHED**

**TELEPHONE EXCHANGE, ONGAR ROAD, BRENTWOOD, ESSEX**

**TELECOMMUNICATIONS DETERMINATION FOR THE SITING OF 6 NO. TELECOMMUNICATIONS ANTENNAE ONTO POLE MOUNTS AND 5 NO. EQUIPMENT CABINETS AND ANCILLARY EQUIPMENT**

**APPLICATION NO: 19/00763/TEL**

**WARD** Brentwood North

**PARISH**

**CASE OFFICER** Ms Tessa Outram

**Drawing no(s) relevant to this decision:**

163734-02-101-MD018-18; 163734-02-150-MD018-18; 163734-02-151-MD018-18;  
163734-02-152-MD018-18; 163734-02-100-MD018-18; 163734-00-004-ML001-1;

**The application is for referred as it is for the prior approval of telecommunications, which must be determined by the planning committee in line with the Council's constitution.**

## **1. Proposals**

A Telecommunications Code System Operator has applied to Brentwood Borough Council for a determination as to whether the prior approval of the Council will be required for the siting and appearance of the above development.

## **2. Policy Context**

### **Local Development Plan**

Policy CP1 General Development Criteria

Policy C14 Development Affecting Conservation Areas

Policy IR2 Telecommunications

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation between 5 February and 19 March 2019. The responses to the consultation are currently being assessed. Following this, the LDP will be submitted to the Secretary of State for an Examination in Public in Q3 or Q4 of 2019. Provided the Inspector finds the plan to be sound, it is estimated that it could be adopted by the Council in early/mid 2020.

The Brentwood Replacement Local Plan 2005 remains the development plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the Local Plan Pre-Submission (Publication Draft) provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations.

## **National policy**

National Planning Policy Framework (NPPF) 2019

National Planning Practice Guidance (NPPG)

### **3. Relevant History**

- 19/00701/FUL: Proposed erection of 6no telecommunications antennae on to pole mounts and 5 no. equipment cabinets and ancillary equipment to be installed on the rooftop of this existing telecommunications exchange. – WITHDRAWN (applicant considers proposal to be permitted development).

### **4. Neighbour Responses**

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby. Detailed below is a summary of the neighbour comments, if any received. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>

One representation has been received which did not object to the development but queried whether checks would be carried out to make sure that the proposal complies with emissions standards in accordance with the submitted declaration.

## 5. Consultation Responses

Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/onlineapplications/>

- **Environment Agency**- No comments received at the time of writing this report.
- **Essex County Fire Service (Headquarters)**- No comments received at the time of writing this report.
- **Design and Conservation Officer** – Thank you for requesting advice in respect of this application. The site is located adjacent to the Brentwood Town Centre and within the wider context of listed buildings. The proposals appear to add more clutter at roof level which is not ideal for this historic town, however, given the quantum already positioned here at roof level and the scale and positioning of the proposed additional equipment, I consider this would have no greater impact upon the townscape than that which exists presently.

## 6. Summary of Issues

The proposed development is the installation of 6no telecommunications antenna onto pole mounts, 1no 0.6m dish on converted pole, 5no equipment cabinets and ancillary equipment onto the rooftop of the Telephone Exchange building, Ongar Road. The proposed redevelopment is required in order to meet the existing and future demands of mobile users and is essential in providing high quality 4G coverage and capacity for both EE and 3 customers.

This is not a planning application but a prior notification concerning a development that benefits from permitted development rights. Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), defines the categories of telecommunications development that do not require planning permission. In such cases, before carrying out development which is permitted by the Order (i.e. it does not require formal planning permission) Code System Operators are required to notify local planning authorities of the proposal and establish whether details for the siting and appearance of development are required to be approved. The applicant chose to provide details of the siting and appearance of the proposal as part of the application.

Paragraph 113 of the NPPF states that local planning authorities should aim to keep the number of masts to a minimum consistent with the operation of the network. Existing masts, buildings and other structures should be used unless the need for a new site has been justified. Local Plan Policy IR2 requires telecommunications development to be approved provided that adequate evidence has been submitted to justify the need for the development, that there is no reasonable possibility of using existing masts, buildings or sites, it has no unacceptable detrimental impact on environmentally sensitive areas or buildings.

The proposal would utilise an existing and established telecommunications base station upon the roof of the Telephone Exchange building, which has been identified as being suitable for the required upgrading to facilitate improvements to the network operators. The utilisation of the existing base station and masts is in accordance with the requirements of paragraph 113 of the NPPF and local policy IR2 and negates the need for a new base station or freestanding mast within the surrounding area. In terms of the siting and appearance, the Telephone Exchange building is a large structure within close proximity of the Town Centre and is highly visible in the long view from both the Brentwood Town Centre Conservation Area and other public vantage points such as Sainsburys decked car park. The Design and Conservation Officer has commented that whilst the proposal will amount to additional clutter on the roof, the scale and positioning of the proposed additional equipment would have no greater impact upon the townscape than that which exists presently and has therefore raised no objections. It is therefore considered this development proposed is of a minimal scale in comparison to the existing telecommunications facilities that already exist on the roof of the building and would therefore not amount to any material harm to the visual appearance of the surrounding area and Conservation Area, in accordance with policy CP1 and C14 of the local plan.

#### Other Matters

A Declaration of Conformity with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines has been submitted with the application. This declaration certifies the cumulative exposure as a result of the development would not exceed international guidelines and the development would therefore not be detrimental to public safety. In response to the neighbour letter received any deviance from the declaration is a matter dealt with by other legislation and it is the long standing position of the Government that if the developer provides a declaration that equipment complies with ICNIRP standards local planning authorities should not consider the matter further.

#### Conclusion

On the basis of the above, the proposed facilities promote site sharing between networks and will utilise an existing building consistent with the NPPF and local plan and would not result in adverse harm to the character and appearance of the

surrounding area or Conservation Area. It is considered that the proposal complies with the NPPF (Chapters 10 and 12) and Policies CP1, C14 and IR2 of the Local Plan 2005 and that Prior Approval is not required for the siting and appearance of the development.

## **7. Recommendation**

Prior approval is not required

### **Informative(s)**

#### **1 INF01 Reason for approval (no objections)**

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.

#### **2 INF04 Amendments to approved scheme**

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

#### **3 INF05 Policies**

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, IR2, C14, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

#### **4 INF21 Approved Without Amendment**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

#### **5 GPDO Part 16**

The development must, except to the extent that the local planning authority otherwise agree in writing, be carried out in accordance with the details submitted with the application. The development hereby permitted shall be begun before the expiration of five years from the date of the application was received: 22nd May 2019.

## ***BACKGROUND DOCUMENTS***

### **DECIDED:**