CASE OFFICERS REPORT

Application Number	PL/2023/06707
Site Address	Telecommunications Site, land at Salisbury Railway Station, Churchfields Road, Salisbury, SP2 7NW
Proposal	Proposed mast, antennas, dish and all ancillary development
Applicant	Cornerstone
Type of application	**Prior Approval under Part 16 of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016 (GPDO)**
Site Notice posted and Site visit Publicity Expiry	23/8/23 18/09/23

PROPOSAL

The applicant states:

The intention is for the proposed base station site to provide new and improved network services to those living, working and travelling in the local area. All apparatus has been limited to a minimum amount and dimension for the achievement of an efficient telecommunications service to be achieved. The design of any communications infrastructure is dictated primarily by operational requirements and secondly by the development's setting. From an operational perspective, the operator must ensure the following when devising a final design solution for any site:

• Antennas need to be located at a height and specifically orientated to transmit effectively and efficiently
without signal being impeded. They also need to be located to ensure ICNIRP compliance.
• Dish links (if required) achieve a direct line of site connection with other base station sites within the network; and
• GPS modules achieve a direct satellite link.

To achieve this, operators undertake a panoramic assessment to determine what is the minimum height for transmission equipment to be located in a context of local topography and clutter, such as manmade or natural features, and what antenna tilts and orientation are required to provide an effective solution. Please be aware that modern network technologies operate in higher frequency bands than older technologies and therefore attenuation of the radio signal is naturally higher and more prone to the effects of clutter. This means that operators will normally require a higher structure to achieve the same coverage footprint. It is also imperative that the supporting mast structure is structurally capable of accommodating the amount of transmission apparatus being proposed and the design is ICNIRP compliant. In all cases the operator is committed to limiting the size and amount of apparatus to an operational minimum.

The applicant is seeking to address the following specific coverage requirement:

• The proposed development will maintain and improve 2G, 3G and 4G network coverage whilst also providing new 5G connectivity and services within the Salisbury Station area, to benefit of all those customers that live, work and travel there; the proposed antennas will transmit the signal with the associated cabinetry and ancillary equipment servicing these antennas.

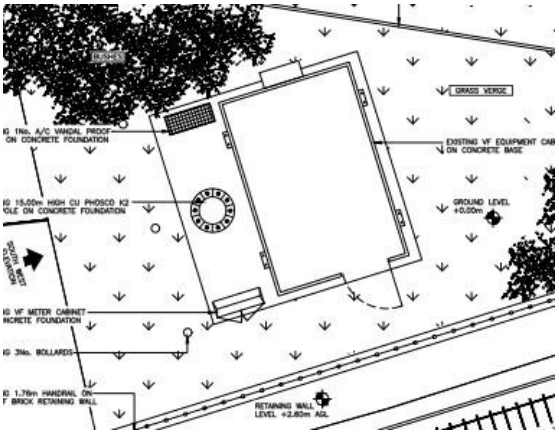
The dynamic nature of technological advances in the telecommunications industry coupled with ever increasing demand from subscribers dictates a continual reinvestment programme on the part of licenced operators. As a result of these licence requirements, mobile operators

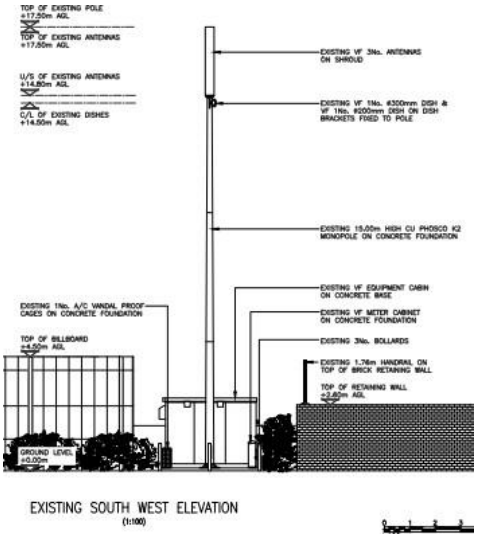
are constantly developing their networks as well as refining and modernising their infrastructure, hence the need for the subject proposal and the upgrading of the existing site.

The likely *Demand and Expectations* and *Public Benefits* (economic, social, sustainability, education and health) are set out in the Supplementary Information document.

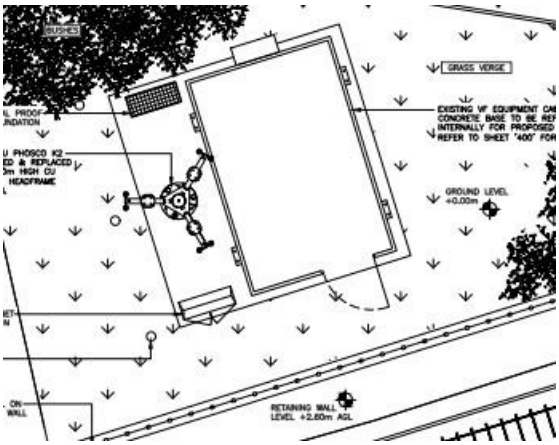
The scheme details are:

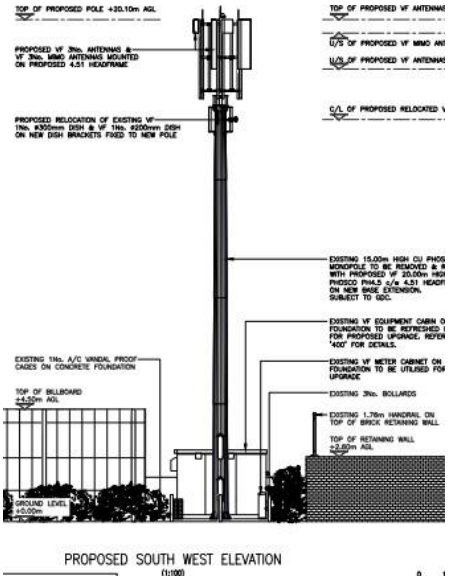
- Removal of existing 17.5m high mast with 3No. antennas within GRP shroud and 2No. dishes (1No. 300mm; 1No. 200mm) (Grey RAL7035) and all ancillary development





- Installation of 20.1m high mast incorporating 15m monopole and headframe (galvanised steel, Grey), 6No. antennas (Grey RAL7035, 2No. dishes (1No. 300mm; 1No. 200mm) (Grey RAL7035, with all ancillary development





- Declaration confirming that the apparatus is in conformity with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) dated 26 July 2023

- Supplementary Information Template as set out in Appendix D of the Code of Best Practice on Mobile Phone Network Development in England and SSSI document.

Legislation:

The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016. Part 16 Class A.

Planning (Listed Building and Conservation Areas) Act 1990
Section 66 and 72: Special considerations affecting planning functions

Planning Policy:

National Planning Policy Framework 2023

Wiltshire Core Strategy
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the conservation of the historic environment
Saved Policy PS7 Telecommunications
Saved Policy D6 – Salisbury Skyline

Consultation Responses:

Wiltshire Council Conservation – Objection:

I question whether a PN is appropriate given the potential harmful impact on the CA and the setting of a listed building. I consider that the existing mast, together with the existing advertising boards, have an adverse impact on not only the listed building but also the entrance to the conservation area. The proposed mast would be more substantial and more 'eye-catching' in terms of the head frame. As such, it would have a greater negative impact on the setting of the station and a key entrance point to the conservation area. I would consider the harm to be 'less than substantial' using NPPF terminology.

Publicity:

Notification letters were sent to local residences adjacent to the site and the City Council.

13 letters of objection on the following grounds – please refer in full

- Look awful, impact on visual amenity of the historic city, clutter
- Emits radiation, increased heat
- Negative health impacts, especially on children
- Council should publish its own research and risk assessment on the impacts of 5G and harmful radiation
- Council should publish its own Environmental Impact Analysis
- Non-thermal biological effects and impacts on public, including residents
- ICNIRP is flawed, 5G exceeds the limits. Contrary to para 117 of NPPF
- Decibels, wattage, radiation and timing details required.
- Wiltshire Council's liability

Report headings:

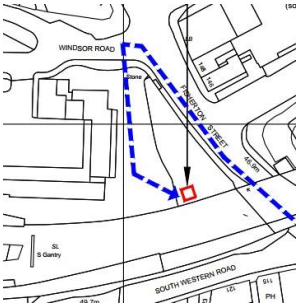
- Principle of the development
- Siting and appearance
- Amenity, health and safety

SITE HISTORY - NONE

Site and constraints

The subject site is located within the Churchfields Road section of the Salisbury City Conservation Area. The nearest listed building is that of the Former GWR Station, Grade II Listed, which is located approx. 40m to the west.

The existing base station and monopole mast is located within Network Rail land south of the Windsor Road / Fisherton Street junction in north west of central Salisbury. Land use present in the locale is predominantly commercial. The topography of the locale is relatively flat. The site is located close to the northern section of the station platform which is relatively elevated from the surrounding road network. To the east of the site is a bridge which allows Fisherton Street to run beneath the tracks. This locality is predominantly commercial in character with residential flats and dwelling interspersed. Advertising hoardings (height of 4.5m) screen the lower sections of the monopole, there are also some trees at a height of 5 metres which provide additional low level natural screening. To the north of the site is the station yard.



ASSESSMENT

Principle of the development

The supporting text to saved SDLP policy PS7 acknowledges that 'Telecommunications are an essential and beneficial element of modern day life and the national economy' and that 'New communication technology is now spreading rapidly, required to meet the growing demand in the area for better communications at work and home, in business and in public services'.

It also confirms that in considering proposals for new telecommunications development 'the Local Planning Authority will take into account the impact of the proposal on the environment and residential amenity protecting as far as possible, the appearance of buildings, settlements and the countryside from unsightly telecommunications equipment'.

The policy continues to state that in areas outside of any sensitive landscape/land use designations '…proposals will be allowed provided that their siting and design minimise the environmental impact of the apparatus; and (iii) applications for large masts should show evidence that the possibility of erecting antennae on an existing building, mast or other structure has been explored'. In this case, the apparatus would replace the existing monopole on an existing site.

Section 10 of the NPPF seeks to support high quality communications as high quality and reliable communication infrastructure is essential for economic growth and social well being. It confirms that 'The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion', but acknowledges that 'Where new sites are required…equipment should be sympathetically designed and camouflaged where appropriate'. It also confirms that 'Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development'.

Part 16 of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2016 (GPDO) permits new telecoms masts provided they adhere to the following provisions. Those considered relevant to this application are copied below with officer comments in blue:

A. ***Development 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—***

(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.***

In this instance, this proposal involves the installation of a 20.1m high mast incorporating 15m monopole and headframe (galvanised steel, Grey), 6No. antennas (Grey RAL7035, 2No. dishes (1No. 300mm; 1No. 200mm) (Grey RAL7035), with all ancillary development. The equipment replaces an existing 17.5m monopole mast. The provisions include rights within Conservation Areas which are defined as article 2(3) land.

Development not permitted

A.1. ***Development not permitted: ground-based apparatus***

(1) Development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if—

(a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;

N/A – development is for a mast

(b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;

N/A – development is for a mast

(c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—

(i) 30 metres above ground level on unprotected land; or

(ii) 25 metres above ground level on article 2(3) land or land which is on a highway;

The proposal involves the installation of a 20.1m high mast incorporating 15m monopole and headframe on article 2(3) land

(d) in the case of the alteration or replacement of a mast, the height of the mast, excluding any antenna, would when altered or replaced exceed the greater of the height of the existing mast or a height of—

(i) 30 metres above ground level on unprotected land; or
***(ii) 25 metres* above ground level on article 2(3) land** or land which is on a highway; or

The proposal involves the installation of a 20.1m high mast incorporating 15m monopole and headframe on article 2(3) land. This is within the specified limit.

Development not permitted: apparatus on masts

(3) Development consisting of the installation, alteration or replacement of electronic communications apparatus **(other than an antenna)** on a mast is not permitted by Class A(a) if the height of the mast (including the apparatus installed, altered or replaced) would exceed any relevant height limit specified in paragraph A.1(1)(c) or (d) or A.1(2)(a) or (b). For the purposes of applying the limit specified in paragraph A.1(2)(a), the words "taken by itself" in that paragraph are omitted.

The top of the proposed antennas is 20.10 agl so is within the specified limits

Development not permitted: antennas and supporting structures installed, replaced or altered on article 2(3) land ....

(4) Development consisting of the installation, alteration or replacement of an antenna, a mast or any other apparatus which includes or is intended for the support of an antenna, or the replacement of an antenna or such apparatus by an antenna or apparatus which differs from that which is being replaced, is not permitted by Class A(a)—

(a)on any article 2(3) land unless—

(i) the development **(excluding the installation, alteration or replacement of a mast)** is carried out in an emergency and is within any limitations specified in paragraph A.1 for development of the same type on unprotected land;

The development is for the alteration and replacement of a mast, so is excluded from these provisions for the Conservation Area

Development not permitted: ground or base area

(7) Development consisting of the installation, alteration or replacement of any electronic communications apparatus other than—

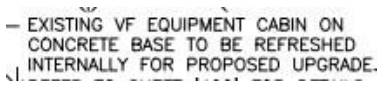
(a)a mast;

(b)an antenna;

(d) any apparatus which does not project above the level of the surface of the ground; or

(e) radio equipment housing,

is not permitted by Class A(a) if the ground or base area of the structure would exceed 1.5 square metres.



Alterations to the existing radio equipment cabin are internal only -

Development not permitted: radio equipment housing

(9) Development consisting of the installation, alteration or replacement of radio equipment housing is not permitted by Class A(a) if—

There are no proposed external alterations to the radio equipment housing.

Conditions

(3) Subject to sub-paragraph (5 – telegraph poles etc for broadband), Class A development—

(a) on article 2(3) land, excluding development specified in sub-paragraph (4); is permitted subject to the conditions set out in paragraph A.3 (prior approval).

The possible exclusions set out in sub para 4 include:

(4) Development is specified for the purposes of sub-paragraph (3)(a), if it consists of—

(c)the construction, installation, alteration or replacement of radio equipment housing—

(i)within a permitted compound; or

(ii) in any other location, where the volume of any single development does not exceed 2.5 cubic metres;

Exception not applicable

(d) the alteration or replacement of a mast which, when completed, is no taller than the taller of—

(i)the height of the mast prior to such alteration or replacement; or

(ii)20 metres above ground level; or

Exception not applicable

(e) the alteration or replacement of a mast which—

(i) is less than one metre wide where the mast would, when altered or replaced, not exceed the original width of the mast by two thirds; or

(ii) is one metre wide or wider where the mast would, when altered or replaced, not exceed the original width of the mast by more than one half or 2 metres, whichever is the greater].

Exception not applicable

The LPA therefore considers that Prior Approval is required for the development as none of the exemptions for prior approval for the Conservation Area (article 2(3) land) set out in sub para 4 apply.

The terms and criteria for this prior approval are set out under A.3 of Part 16. In particular:

(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.**

(7) When determining the application made under sub-paragraph (4), the local planning authority must—

(a)take into account any representations made to them as a result of consultations or notices given under paragraph A.3

The site is within the Conservation Area on Article 2 (3) land. The siting and appearance of the proposal is subject to a formal assessment by the Local Planning Authority in accordance with A.3 (4) above.

Siting and appearance

Saved Policy D6 considers the Salisbury Skyline and roofscape. the Cathedral spire is a dominant feature of the skyline. Views of Salisbury are dominated by the Cathedral spire rising above the roofscape of the city. The shape, scale, variety of construction, materials, colouring and weathering of roofs in the city contribute to a roofscape that is a vital part of the area's character and appearance. The spire's dominance has been maintained by the implementation of policies in both Structure and Local Plans. Policy D6 seeks to continue this dominance by restricting new development to the traditional form of low rise buildings with pitches roofs within the city. The Council recognises, however, that there may be instances where new roofscape features can add variety to the skyline and will consider proposals for individual high quality architectural features which contribute to the city's silhouette. Due to the compactness of the city, its small scale and the fine detail of existing features, such as church spires, such proposals will only be permitted where they do not include useable floorspace.

The Conservation officer has provided a detailed assessment and objection to the proposal:

*From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that **special regard** be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay **special attention** to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.*

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraphs 201-3 of the NPPF require a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved. Paragraph 197 requires local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and of new development making a positive contribution to local character and distinctiveness.

National Planning Practice Guidance provides guidance on interpreting the NPPF.
The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance." It is also required that distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place

shaping': A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

The Council's Core Strategy CP57: Ensuring high quality design requires a high quality of design in all new developments. Proposals are required to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) "enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development" and "responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting."

Historic England Advice Note 2 – Making changes to Heritage Assets illustrates the application of policies set out in the NPPF in determining applications for PP and LBC.

The key designated heritage assets are:

***The former GWR station**, listed at grade II, which is immediately to the west of the site: 'Former railway terminus. 1856 by Isambard Kingdom Brunel for the Great Western Railway. Constructed by Messrs. Hopkins and Roberts of Islington.*

***and the City of Salisbury CA** – which takes in the site as well as the above listed building.*



Proposal:

The application is for the replacement of an existing telecommunications mast with a replacement one. The existing mast has a comparatively slim profile whereas the new mast would have a more substantial structure at the top of the pole (headframe). The pole too would seemingly be more substantial.

***Issues**: impact on the setting of a listed building and the conservation area, and where in view of the designated heritage assets, a prior notification application is appropriate.*

Information considered/provided:

NPPF 2023 Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This includes conservation areas which are heritage assets. In this particular case, presumably as the application is a prior notification, there is no accompanying assessment. However, paragraph 195 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.

Assessment:

I consider that the existing mast, together with the existing advertising boards, have an adverse impact on not only the listed building but also the entrance to the conservation area. The proposed mast would be more substantial and more 'eye-catching' in terms of the head frame. As such, it would have a greater negative impact on the setting of the station and a key entrance point to the conservation area. I would consider the harm to be 'less than substantial' using NPPF terminology.

Assessment of potential visual impact, roofscape, skyline and the planning balance





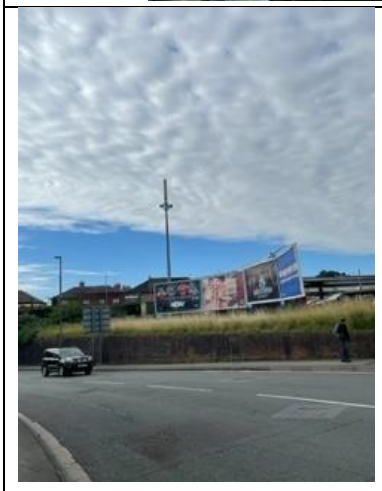




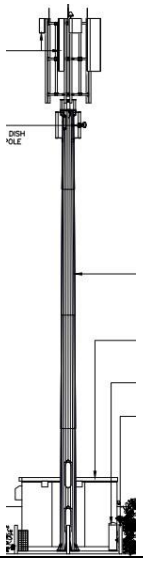




RAL 7035
Light grey







The prior approval process under Part 16 Class A does not specifically take account of the impact of apparatus on the *settings* of listed buildings but the provisions for building-based masts would not apply to listed buildings or scheduled monuments. However, Part 16 considers Article 2(3) land in heritage terms and allows the LPA to consider the "siting and appearance" of the proposed development. Therefore, it would not be possible for the LPA to object to this prior approval application simply on the ground that it can't properly assess the impact on the setting of listed buildings, as this is covered by *siting and appearance* considerations. If the LPA is concerned that less than substantial harm would occur to the settings of listed buildings or the character of the Conservation Area that cannot be outweighed by the public benefits arising from the development, it may refuse the application.

The replacement mast would be approximately 2.6m taller than the existing mast. As the conservation officer notes, the antenna would be more bulky and wider than the current apparatus, making the mast more prominent overall. The colour would be light grey, to match the mast to be replaced and this would help to reduce the reflectivity of the material in bright sunlight.

The heritage objection is acknowledged. The proposed mast would be taller than the existing pole structure, with a more prominent and bulky set of antennae, which in turn, would have an impact on specific areas of the existing Salisbury skyline. However, there are no *direct* lines of sight of the Cathedral spire along the main access routes that would include the mast, as the photos show.

It is accepted that the development would result in *less than substantial harm* to the character and setting of the conservation area and the setting of listed buildings. In considering harm, Para 202 of the NPPF requires the LPA to undertake a balancing exercise and states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The public benefits of the proposal are set out in the applicant's statement under the following headings:

• Economic, Social, Sustainability, Health and Educational benefits

The applicant has set out the need for the changes and upgrade to the existing mast:

The applicant is seeking to address the following specific coverage requirement:

• The proposed development will maintain and improve 2G, 3G and 4G network coverage whilst also providing new 5G connectivity and services within the Salisbury Station area, to benefit of all those customers that live, work and travel there; the proposed antennas will transmit the signal with the associated cabinetry and ancillary equipment servicing these antennas.

The reader should appreciate that the dynamic nature of technological advances in the telecommunications industry coupled with ever increasing demand from subscribers dictates a continual reinvestment programme on the part of licenced operators. As a result of these licence requirements, mobile operators are constantly developing their networks as well as refining and modernising their infrastructure, hence the need for the subject proposal and the upgrading of the existing site.

On balance, the need for the development to improve network coverage, develop the network to meet demand, refine and modernise infrastructure in terms of the improvements to general communications in the city centre, for amenity and safety, and to existing trade and business communications (and thus accord with the aims of the Council's employment and social planning policies) are considered to outweigh the less than substantial harm identified to Article 2(3) land and the settings of listed buildings. The site is within the city centre, and the scheme is unlikely to be an unfamiliar or jarring form of development within this urban context. The need for the development is considered on balance to outweigh the less that substantial harm, in accordance with para 202 of the NPPF 2023.

Amenity, Health and Safety

The site is located within close proximity to residential properties. The antenna and cabinet would have a localised visual impact, but due to the siting of the mast within the car park and the separation distances to nearby dwellings, the proposal is unlikely to negatively impact on residential amenity in visual terms.

The applicant has confirmed the proposal is designed to be in conformity with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP). The proposal would therefore comply with relevant health guidelines for the purposes of the determination of this prior approval application.

Network Rail has been notified by the developer, in compliance with para 117 of the NPPF.

Third parties have raised strong health and safety concerns regarding ICNERP and liability. However, these matters are beyond the PNTEL provisions. An ICNIRP declaration (26/7/23) has been submitted to comply with para 117 of the NPPF. Para 118 specifies to LPAs:

118. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

RECOMMENDATION

Prior approval is required in respect of the siting and appearance of the development and on balance of the issues relating to siting and appearance, this **prior approval is granted**, subject to the standard conditions set out under A.2 of Part 16 Class A of the GPDO 2016.

Draft wording:

I refer to your application for a determination as to whether the prior approval of the local planning authority will be required for this development.

The local planning authority has determined in this case that its **prior approval will be required in respect of the siting and appearance of the proposed development**.

Prior Approval is granted subject to the development being carried out strictly in accordance with the details set out in the application particulars and any standard conditions in the Order.

and subject to the following conditions: (2)

The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan ref 100A dated 29/3/23

Proposed Site Plan ref 201A dated 29/3/23

Proposed Site Elevation ref 301A dated 29/3/23

REASON: For the avoidance of doubt and in the interests of proper planning.

The mast, antennas and dishes hereby approved shall be finished in a light grey colour (RAL 7035 or equivalent) in accordance with the submitted details.

Reason: In the interest of the visual character of the development.

Informative

The development may also require a Building Regulations application. The Building Regulations process is to ensure new development is safe, well built and energy efficient. The local planning authority can provide this service to you and so invites you to access the forms and other information online at www.wiltshire.gov.uk/buildingcontrol