

PLANNING APPLICATION NUMBER:P21/1396

Type of approval sought	Full Planning Permission
Ward	Halesowen North Ward
Agent	E. Wyke
Case Officer	Stephanie Hollands
Location:	FAIRFIELD ROAD, HURST GREEN, HALESOWEN.
Proposal	TELECOMMUNICATIONS DEVELOPMENT COMPRISING OF THE INSTALLATION OF ONE 15M PHASE 8 MONOPOLE C/W WRAPROUND CABINET AT BASE AND ASSOCIATED ANCILLARY WORKS.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site forms part of the paved footway on land situated adjacent to The Fairfield Public House and across the road from residential properties. The wider area is mixed use in nature. Existing street furniture is also present in the surrounding area.

PROPOSAL

2. This is a planning application for telecommunications development comprising of the installation of one 15m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.
3. This application follows the recent approval of applications P20/0999/PN16A and P20/1920/PN16A, following these approvals it was identified during the build process that there were additional unknown underground services that rendered the original locations unbuildable. This re-submission has moved the proposed equipment a few metres in order to address this build issue.

4. There is now a requirement to upgrade the UK H3G (Three) network to provide improved coverage and capacity, most notably in relation to 5G services. This proposal is for a 15m SW (Street Works) monopole located on the adopted highways at Fairfield Road. The exact details of this proposal are illustrated on the enclosed drawings (Proposed Phase 8 Monopole C/W wraparound Cabinet at base & associated ancillary works). As with all 5G cells this is an extremely constrained cell search area. Options are extremely limited and the only viable solution that minimises amenity issues has been put forward.
5. The proposed installation is an H3G LTE (Three) Phase 8 Monopole which will house H3G LTE (Three). The proposal is required due to acute capacity issues and will facilitate significantly improved 5G in areas that have started to gain this service and newly introduce it to the areas that have not gained this level of connectivity yet.
6. Three are in the process of building out the UK's fastest 5G network. Three has 140MHz of 5G spectrum (and 100MHz of it contiguous), which means our service will be much faster and able to handle more data. To bring this new technology to the people H3G will need to provide a mix of upgrades to existing sites and the building of new sites. New sites will be needed for many reasons, including that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded. In this area there is an acute need for a new mast to deliver the above.
7. Details of the Applicant's search for alternative sites has been provided. Full consideration has been given to alternative sites and other existing masts in the vicinity. However, the proposed location and design are considered to provide the optimum solution in this instance.

8. The Applicant states the proposed equipment would be ICNIRP compliant (International Commission on Non-Ionizing Radiation Protection) and has submitted a certificate as part of this application.

HISTORY

Application No.	Description	Decision	Date
P21/0827/PN16A	Prior approval under schedule 2 part 16 of the Town and Country Planning (GPDO) for a telecommunications development comprising of installation of 1 no. 15m high Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.	Approval is required and refused	25/05/2021
P20/1920/PN16A	Prior approval under schedule 2 part 16 of the Town and Country Planning (GPDO) for a telecommunications development comprising of installation of 1 no. 15m high Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.	Approval is required and approved	04/02/2021
P20/0999/PN16A	Prior approval under schedule 2 part 16 of the Town and Country Planning (GPDO) for a telecommunications development comprising 18m Phase 8 Monopole C/W wrapround Cabinet at base and associated	Approval is required and approved	01/09/2020

	ancillary works.		
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9. P21/0827/PN16A reason for refusal:
- Due to the commencement of the works on site prior approval cannot be given under the terms of schedule 2 part 16 of the Town and Country Planning (GPDO).
10. With regards to the above refusal of consent, as the telecommunications cabinets had been installed on the site an application for “prior notification” could not be supported hence the above refusal. This refusal was as a result of a technicality associated with the application process and not based on the principle of mast in this location.

PUBLIC CONSULTATION

11. Neighbour notification letters have been sent to 26 nearby occupiers and to the Local Ward Members. A site notice has also been displayed. Six individual objections have been received against the application with the following concerns summarised below:
- Health grounds/unsafe
 - Overlooking/outlook
 - Residential area/More suitable locations
 - Previously refused
 - Eyesore
 - Nearby school
12. Of the six individual objections received it is noted that not all are from local residents within the immediate surrounding area, one is anonymous with no address provided and one is from an address located in Kidderminster.
13. Cllr Henley has also objected to the application with the following comments provided:

- This mast is in an unsuitable location, as it is so close to residential properties and there are still concerns on health from these masts also, they reduce property prices. There is no official cost impact on house costs, but it is proved that they do have a negative impact on house prices and sales. They put a lot of future buyers off buying homes by masts, which causes owners to have to reduce the homes to try and get sales.
- This telecommunication company has tried to install this mast previously, the council stopped work on a couple of times, and they continued to do work on the public highway without DMBC permission. They believe they can work without full permissions and this needs to be stopped.
- There are industrial/warehouse land in the area that this mast would be more suited. The objection is not about stopping progress with 4G/5G etc but having these mast put in more suited locations away from homes, these companies should work with the councils, Councillors and locals to find better locations instead of them sitting in an office and putting a pin where they wish to have them.
- This mast would tower over so many homes in the local area and is a blight on the area.

14. Cllr Henley has also provided a link to an on-line petition signed by 100 local residents at the time of writing this report against the application with following reasons given:

- The phone mast so close to properties will reduce property prices around the mast. This mast could go in so many other locations so not to be an issue with residents' homes and local appearance.
- The mast could go on local industrial estates, on the rooftops of commercial buildings. There is/was one locally on the roof Formula One, Long Lane, in Blackheath Town centre, so why do residents have to put up with this one so close to their homes.
- Yes, most of us have and use mobile phones, but a common-sense approach and the feelings of locals need to be taken into consideration.
- Get this mast installed elsewhere that doesn't blight residents' homes.

15. An update on the number of signatories on the online petition will be provided to members by way of pre-committee note.
16. A paper petition has also been received against the application with 31 names, addresses and signatures stating the following:
 - The mast is too close to residential homes and many residents would like the council to look at other sites that do not have an impact on residential homes and their lives. The company who is putting these plans forward have already been stopped due to them carrying out works on our highway without permission.
17. Comments made in relation to house values and difficulty in being able to move in the future are non-material planning considerations so cannot be afforded any weight in the planning assessment of this application.

OTHER CONSULTATION

18. Highways: Material considerations.
19. The Environmental Safety and Health Team: No adverse comments.

RELEVANT PLANNING POLICY

20. National Planning Guidance
 - National Planning Policy Framework (2021) - Section 10. Supporting high quality communications Para 114. – Para 118.
21. Black Country Core Strategy (2011)
 - ENV 2 Historic Character and Local Distinctiveness
22. Dudley Borough Development Strategy
 - Policy D8 - Telecommunication Installations
 - Policy S1 - Presumption in favour of Sustainable Development

ASSESSMENT

23. The main issues are:

- Principle / Policy
- Design / visual impact / impact on wider area
- Noise
- Highway safety
- Health

Policy/Principle

24. The strategic policies contained within the NPPF (2021) amongst other matters should provide sufficient provision for telecommunications.

25. In support of this, Section 10 of the National Planning Policy Framework (NPPF) states that Local Authorities should support the provision of high quality communications infrastructure as this is essential to support economic growth and social wellbeing for communities. Para 114 of this section outlines that there is specific support the expansion of electronic communications networks *“including next generation mobile technology (such as 5G) and full fibre broadband connections”*. In line with these recommendations, and further suggests in Para 115 that the sites for such provision should be kept to a minimum, should be sufficient to support the needs of the customer, efficient, and should be suitable to provide for future expansion. It further expresses that *the “Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.”*

26. Para 118 it expresses that *“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.”

27. The Telecommunications Installations Policy (Policy D8) in the Dudley Borough Development Plan (2017) states “Modern telecommunications are important in the national and local economy and in people’s lives. Accordingly, the Council will respond positively to telecommunications proposals whilst balancing decisions against the need to protect and enhance the character and the overall environmental quality of the Borough. Proposals for telecommunications masts and equipment shall be accompanied by evidence that the sharing of an existing mast and other alternatives to the provision of a new mast have been considered. Proposals shall be sensitively designed and sited to minimise the impact of development on the environment and surrounding area.
28. In light of the policy framework outlined above, the NPPF sets clear precedent for supporting the provision of high-quality communications infrastructure that in turn supports economic growth and social well-being. As such, the principle of the development is to be supported.
29. It is considered that the overall benefits of the scheme will offset any potential visual impact that may arise. The proposal needs to be seen in the context of the overall benefits that will occur from the introduction of 5G technologies to the area.
30. The proposal has been designed with the aim of achieving a balance between minimising visual impact and achieving the technical requirements needed by the operator. It is necessary for the height of the structure to ensure that interference is avoided, the topography of the landscape does not have an unacceptable impact upon mobile signal quality and that the structure is able to support the 5G antenna and other apparatus.
31. There is an existing presence of vertical features within the immediate area.
32. Furthermore, both local and national planning policy requires operators to provide evidence that the proposed base station conforms to the ICNIRP (International Commission on Non-Ionizing Radiation Protection) exposure guidelines. The

applicant has submitted the necessary certificate confirming that the proposed mast conforms to those guidelines.

33. Finally, and pertinent to the assessment of this application, is the recent approval of two further masts within close proximity of this current site. One mast was approved at 15m in height and one at 18m in height but could not be built out due to underground services. As such, the principal of a mast of this nature in this location has already been established.

Visual impact

34. The proposed development at the site is required to deliver the requisite level of electronic communication service on a structure designed to accommodate multiple future users (so enable future site sharing opportunities). The site is required to provide new 5G coverage for H3G LTE in order to improve coverage in the area of Dudley. The cell search areas for 5G are extremely constrained with a typical cell radius of approximately 50m meaning that it would not be feasible to site the column outside of this locale.
35. Prior to selecting the proposed site, a comprehensive investigation was undertaken by the Applicant's network planners, acquisition and planning agents to find a site specifically capable of providing this coverage. Potential sites are considered in terms of their technical suitability to provide the required level of service, the effect on visual amenity and their ability to be acquired, built and maintained. The aim of site identification is to find the most technically efficient site, which has the minimum impact on visual amenity. Various options might theoretically be suitable in terms of one of these considerations, but not the other. A balance between the two must be achieved.
36. A total of 7 alternative sites were surveyed and discounted. The alternative site assessment is robust and the current site provides the most suitable location to provide improvements to the existing and proposed network coverage and meet capacity requirements.

37. The proposed installation is an H3G LTE (Three) Phase 8 Monopole which will house H3G LTE (Three). The proposal is required due to acute capacity issues and will facilitate significantly improved 5G in areas that have started to gain this service and newly introduce it to the areas that have not gained this level of connectivity yet.
38. In keeping with the National Planning Policy Framework (NPPF) guidelines of using high quality communications infrastructure the proposed design has been selected to minimise visual impact upon the street scene by integrating with the existing street furniture, having similar vertical lines and overall appearance to the numerous street lighting columns in this area.
39. The 5G antennas are some 3 times as heavy as previous antennas, while the associated Remote Radio Units also now need to be placed at the top of the pole, thus many street works designs are no longer structurally capable of hosting all the equipment of 2 operators. It should be noted that the alternative option that could accommodate both operators (EE and H3G LTE who have a site sharing agreement) would be a more traditional 'greenfield' mast, with an open headframe and more bulky design, which would be inappropriate in a street scene location. There is no such location in this cell search area where a greenfield mast could be housed and thus site sharing is not a viable proposition.
40. It is acknowledged that the siting of the mast is set back away from the highway and would be set against a backdrop with the presence of existing vertical features within the immediate area and green vegetation. Whilst the height is not ideal the Applicant has demonstrated that the height of this structure cannot be reduced and therefore there are insufficient grounds to warrant a refusal of this mast on visual amenity grounds.

Noise

41. The Environmental Safety and Health Team have no adverse comments in respect of noise or air quality. This application is accompanied by a declaration of

conformity with ICNIRP standards for the protection of the public from electromagnetic radiation.

Highway safety

42. Highways state the National Planning Policy Framework was update on 20th July 2021. The revisions increased the focus on design quality, not only for sites individually but for places as a whole. Terminology is also now firmer on protecting and enhancing the environment and promoting a sustainable pattern of development, i.e., walking and cycling.
43. Section 112 of the NPPF states in terms of considering development: -
 - a. give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b. address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
44. Highways noted from the plans that the new cabinets will reduce the available width of the footway, 2m is the minimum required by the Disabilities Discrimination Act. Amended plans have been received to show that the dimensions associated with the proposed cabinets and remaining pavement show the retained pavement width at the narrowest point are in excess of 2m.
45. As such, on balance, the siting and design of the mast and associated equipment is considered acceptable.

Health

46. Whilst health is a material consideration when considering applications for development, the National Planning Policy Framework states that Local Planning Authorities should not reconsider health matters where the applicants have self-certified that the base station conforms to the International Commission on Non-Ionising Radiation guidelines. In this case the applicant has submitted the required information (ICNIRP Certificate) confirming that the proposal would meet the guidelines and therefore no further consideration should be given in this regard.

CONCLUSION

47. On balance, the proposed structure is acceptable given the support within Local and National Policy. It is concluded that the visual impact of the new structure would not be sufficiently detrimental to the visual amenities to warrant refusal of the application. The applicant has also demonstrated through the submission of an ICNIRP certificate that the structure will not cause harm to health. Consideration has been given to ENV 2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy and Policy D8 - Telecommunication Installation of the Dudley Borough Development Strategy and the National Planning Policy Framework.

RECOMMENDATION

48. It is recommended that planning permission is APPROVED subject to conditions.

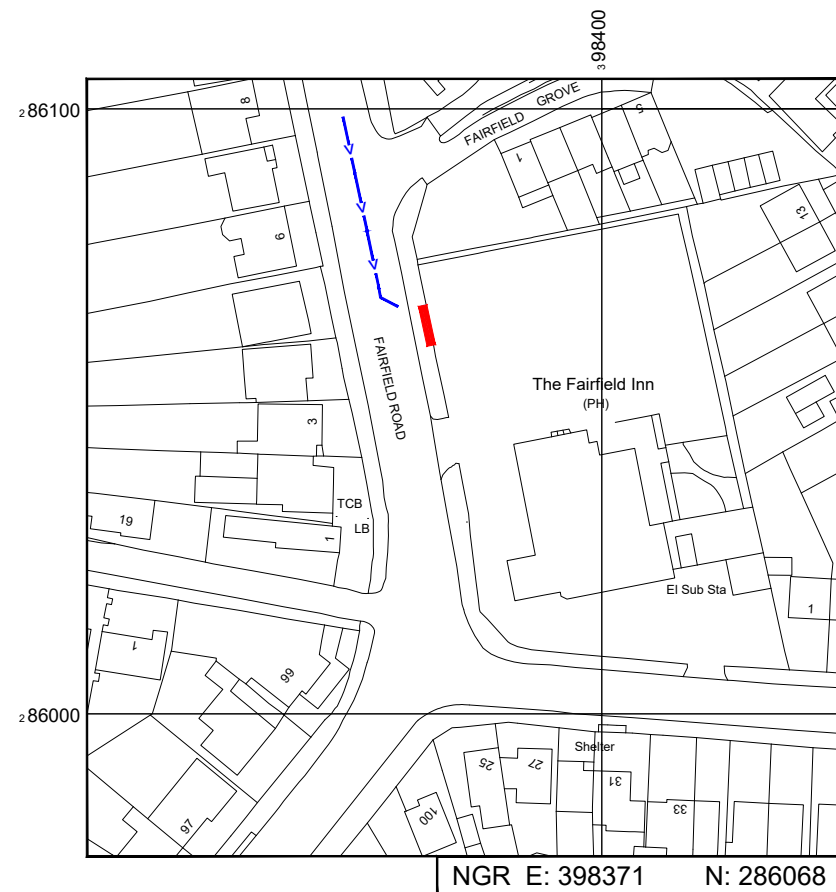
Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: DUD14833_M005 F.
REASON: For the avoidance of doubt and in the interests of proper planning.

SITE LOCATION



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NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

DIRECTIONS TO SITE:

Head southwest on M5. Take the exit at junction 2. At the roundabout, take the 4th exit. At the roundabout, take the 1st exit onto Wolverhampton Road/A4123. Turn right onto Causeway Green Rd/B4169. Continue to follow B4169. At the roundabout, take the 1st exit onto Nimmings Road/B4169. Turn left onto Fairfield Road, the site is located on the left hand side on the footpath

Site Provider's Property Boundary:



Access Route To Site:



Access Route:



Master: M005	MBNL / EE / H3G	Project: H3G 5G UNILATERAL	Purpose of Issue: Planning	Issue: E
Date: 03/03/21		Revision / Upgrade Description: Site Relocated		
Drawn: PS				
Checked: DH				
Approved: SD				
Master: M004	MBNL	Project: H3G 5G UNILATERAL	Purpose of Issue: Planning	Issue: D
Date: 28/01/2021		Revision / Upgrade Description: Tower Height Reduced		
Drawn: PS				
Checked: DH				
Approved: SD				
Master: M003	MBNL	Project: H3G 5G UNILATERAL	Purpose of Issue: Planning	Issue: C
Date: 10/11/2020		Revision / Upgrade Description: Site Relocated		
Drawn: PS				
Checked: DH				
Approved: SD				
Master: M002	MBNL	Project: H3G 5G UNILATERAL	Purpose of Issue: Planning	Issue: B
Date: 25/08/2020		Revision / Upgrade Description: Site Relocated		
Drawn: PS				
Checked: DH				
Approved: SD				
Master: M001	MBNL	Project: H3G 5G UNILATERAL	Purpose of Issue: Planning	Issue: A
Date: 09/07/2020		Revision / Upgrade Description: First Issue - Site nomination dated: 25/06/2020		
Drawn: PS				
Checked: DH				
Approved: SD				



Hutchison 3G UK Limited
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H3G Base Station Information line:
0845 6043000
Available 8am-8pm Monday to Friday

Design Consultant & Principal Contractor:



WHP Telecoms
Unit 1 Maple Park,
Low Fields Avenue, Leeds
LS12 6HH

Tel: 01133023550
e-mail: info@whptelecoms.com

Site Name: FAIRFIELD ROAD SW

Site ID: DUD14833

Address: FAIRFIELD ROAD,
THE FAIRFIELDS,
DUDLEY,
WEST MIDLANDS,
B62 9PU

Title: 002 SITE LOCATION PLAN

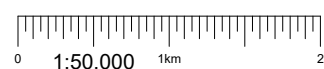
Project: H3G 5G UNILATERAL

Purpose of Issue: PLANNING

EE Cell ID: N/A	MBNL Cell ID: N/A	3UK Cell ID: N/A
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Master Drawing No: DUD14833_M005 Issue: E

SITE AREA PLAN



SITE LOCATION PLAN



GOOGLE MAPS QR CODE

GOOGLE MAPS -<https://goo.gl/maps/Da4W92KZSLjHsJM18>

GOOGLE STREETVIEW -<https://goo.gl/maps/fpGUL1fCgLLsDXvG7>



SITE PHOTOGRAPH

100mm
50mm
10mm

Antenna Aperture ID	Proposed 4G/5G Bearing	Operator: Shared/EE/H3G
A1	95°	H3G
A2	95°	H3G
B1	215°	H3G
B2	215°	H3G
C1	335°	H3G
C2	335°	H3G

NOTES:
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master	MBNL / EE / H3G	Project	Purpose of Issue	Issue
M005	MBNL	H3G 5G UNILATERAL	Planning	E
Date: 03/03/21		Revision / Upgrade Description: Site Relocated		
Drawn: PS		Checked: DH		
Approved: SD				
M004	MBNL	H3G 5G UNILATERAL	Planning	D
Date: 28/01/2021		Revision / Upgrade Description: Tower Height Reduced		
Drawn: PS		Checked: DH		
Approved: SD				
M003	MBNL	H3G 5G UNILATERAL	Planning	C
Date: 10/11/2020		Revision / Upgrade Description: Site Relocated		
Drawn: PS		Checked: DH		
Approved: SD				
M002	MBNL	H3G 5G UNILATERAL	Planning	B
Date: 25/08/2020		Revision / Upgrade Description: Site Relocated		
Drawn: PS		Checked: DH		
Approved: SD				
M001	MBNL	H3G 5G UNILATERAL	Planning	A
Date: 09/07/2020		Revision / Upgrade Description: First Issue - Site nomination dated:25/06/2020		
Drawn: PS		Checked: DH		
Approved: SD				



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Tel: 01133023550
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Site Name: **FAIRFIELD ROAD SW**

Site ID: **DUD14833**

Address: **FAIRFIELD ROAD,
 THE FAIRFIELDS,
 DUDLEY,
 WEST MIDLANDS,
 B62 9PU**

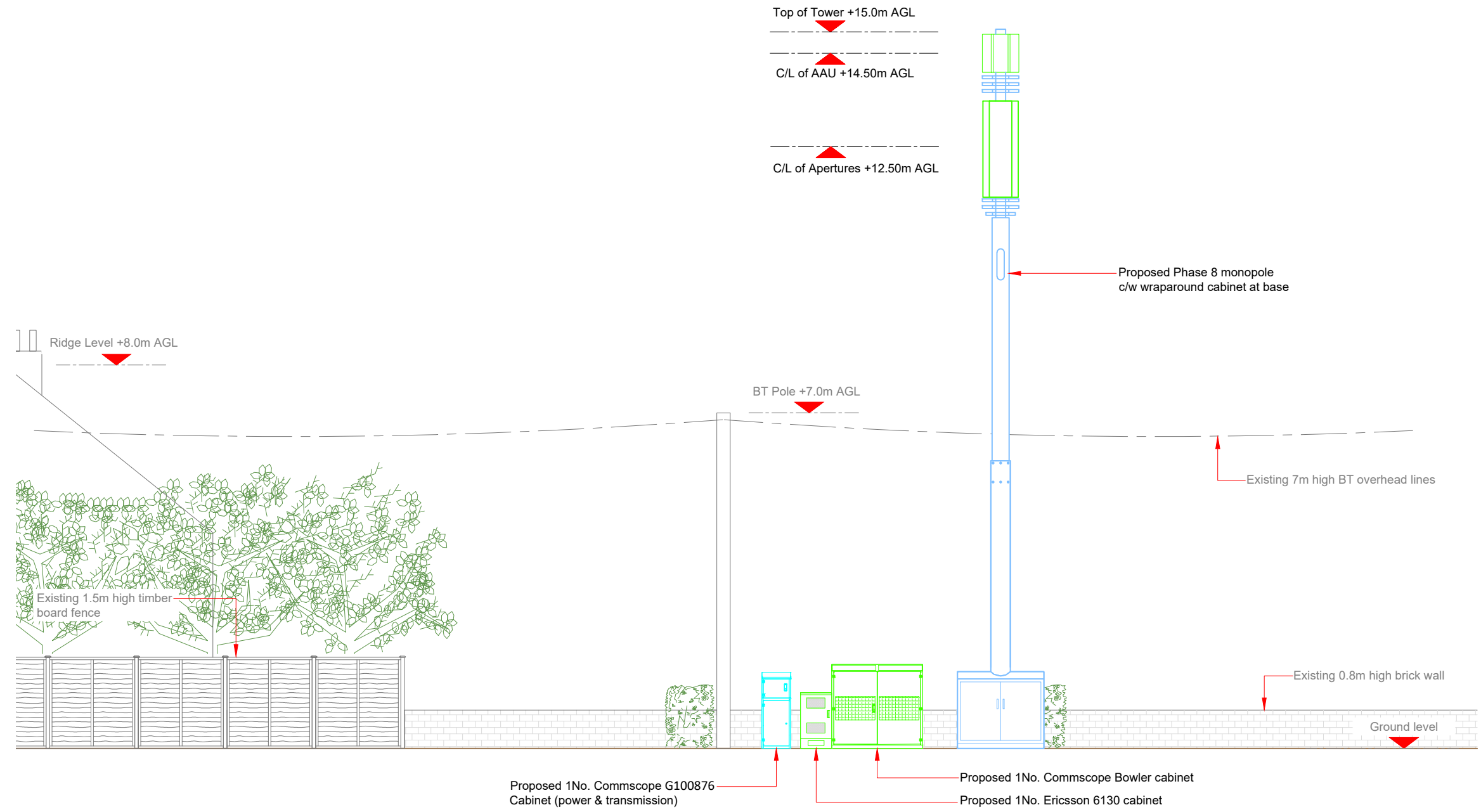
Title: **260 PROPOSED H3G ELEVATION**

Project: **H3G 5G UNILATERAL**

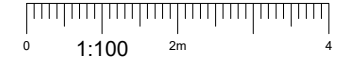
Purpose of Issue: **PLANNING**

EE Cell ID: N/A	MBNL Cell ID: N/A	3UK Cell ID: N/A
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Master Drawing No: **DUD14833_M005** Issue: **E**



PROPOSED H3G CONFIGURATION ELEVATION



100mm
50mm
10mm

NOTES:
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M005	MBNL	H3G 5G UNILATERAL	Planning	E
Date:	03/03/21	Revision / Upgrade Description:		
Drawn:	PS	Site Relocated		
Checked:	DH			
Approved:	SD			
Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M004	MBNL	H3G 5G UNILATERAL	Planning	D
Date:	28/01/2021	Revision / Upgrade Description:		
Drawn:	PS	Tower Height Reduced		
Checked:	DH			
Approved:	SD			
Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M003	MBNL	H3G 5G UNILATERAL	Planning	C
Date:	10/11/2020	Revision / Upgrade Description:		
Drawn:	PS	Site Relocated		
Checked:	DH			
Approved:	SD			
Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M002	MBNL	H3G 5G UNILATERAL	Planning	B
Date:	25/08/2020	Revision / Upgrade Description:		
Drawn:	PS	Site Relocated		
Checked:	DH			
Approved:	SD			
Master:	MBNL / EE / H3G:	Project:	Purpose of Issue:	Issue:
M001	MBNL	H3G 5G UNILATERAL	Planning	A
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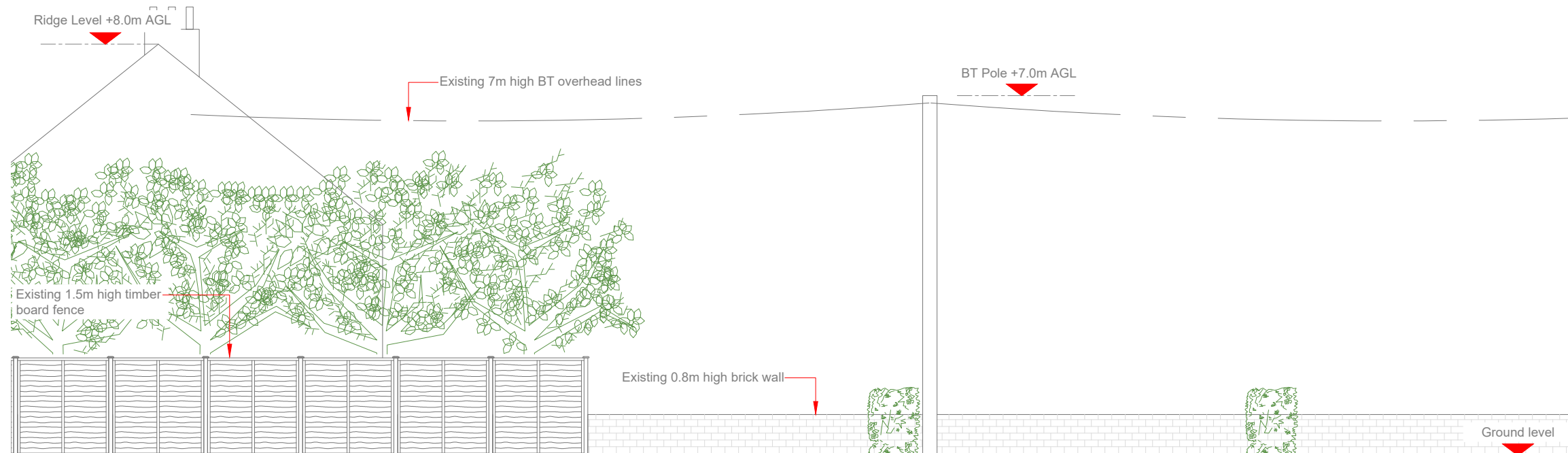
Title: 150 EXISTING ELEVATION A

Project: H3G 5G UNILATERAL

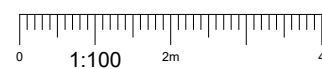
Purpose of Issue: PLANNING

EE Cell ID:	MBNL Cell ID:	3UK Cell ID:
N/A	N/A	N/A

Master Drawing No: DUD14833_M005 Issue: E



EXISTING ELEVATION A



100mm
50mm
10mm