

Town Planning Statement

5G Electronic Communications Base Station

At the BT Telephone Exchange

Leek ATE, St Edward Street, Leek, Staffordshire, ST13 5DQ

Site Reference 168001

CELLNEX AND MBNL

March 2021

1. INTRODUCTION

- 1.1 This statement is submitted in support of an application for planning permission for a 5G mobile base station for the mobile network operators (MNOs) EE Ltd and Hutchison 3G UK Ltd, in conjunction with Mobile Broadband Network Limited (MBNL).
- 1.2 The application includes:
- A description of the site and surrounding area
 - A description of the proposal
 - A statement of community engagement
 - A review of planning policy considerations
 - A review of design and access considerations
- 1.3 A number of other accompanying documents have been submitted in support of the application and these are referred to and must be read in conjunction with this statement.

2. SITE AND SURROUNDING AREA

2.1 The application site is situated on St. Edward Street and Strangman Street. The site is located within the Leek Conservation Area. The surrounding streets are populated with 1-3 storey red brick residences and businesses.

2.2 In addition to its primary use as a telephone exchange, the building is a long-established location for electronic communications development and is host to apparatus operated by several organisations, including the UK's Mobile Network Operators, as part of their communications networks in central Leek.

2.3 The flat roofed brick building itself comprises three storeys with an additional plantroom level above which is generally used as a commercial telephone exchange with rooftop electronic communications.

2.4 Relevant planning history for the site includes:

DET/2016/0067 - Installation of 1 no. small link a/c power cabinet at rooftop level and ancillary development: BT Leek, Telephone Exchange, St Edward Street, Leek, Staffordshire

Prior Approval Granted 15/02/2017

SMD/2016/0778 - Proposed installation of 2 Nr. acoustic louvres on the front and rear elevation: BT Leek, Telephone Exchange, St Edward Street, Leek, Staffordshire

Planning Permission - Approved 16/02/2017

2.5 There have been no material changes affecting the location and context of the application site since the 2017 planning permission was granted: it remains an unlisted building within the Leek Conservation Area and most of the apparatus at roof level existing at that time. Indeed, the only significant material planning considerations that have changed since the 2017 decision is that, as highlighted in the following sections of this statement, the overall direction of travel in national and local planning policies is one that tips the planning balance more favourably towards supporting electronic communications infrastructure.

3. THE 5G PROPOSAL

- 3.1 The development proposed is shown in detail in the drawings submitted and is for a new 5G electronic communications base station. The deployment of 5G will utilise the MNOs existing 3G and 4G networks such as the base station already existing at the application site. As such, the application site is likely to carry different mobile connectivity services in parallel, with high data uses operating through the new 5G higher capacity network apparatus subject of this application.
- 3.2 Unlike earlier generations of mobile connectivity, 5G has more significant technical and operational requirements and this has implications on the amount, height, position and design of the new base station apparatus on the rooftop of the building. To help explain this important detail, we have set this out in the accompanying **“5G Technical Support”** document, which must be read in conjunction with this planning statement.
- 3.3 The principal elements of the proposed development at the application site reflect these various siting and design factors within the technical support document:
- Proposed installation of 3No. Antenna supported by proposed supporting steelwork fixed to rooftop of Leek ATE
 - The proposal includes the removal of redundant supporting steelwork, the relocation of existing antenna, dish and ancillary devices to proposed steelwork, and all associated works at roof level
- 3.4 The radio equipment housing will need to be mechanically ventilated to avoid overheating of equipment. The ventilation equipment is only likely to operate during the day during hot weather. If it is considered specific noise attenuation measures to be necessary, we would be pleased to discuss practicable solutions.
- 3.5 Section 6 of the Code of Best Practice on Mobile Network Development in England, published in November 2016, explains how mobile networks operate. In the annual network rollout information supplied, the operators will have explained their network requirements for 5G and the anticipated use of existing sites, including those owned by radio site infrastructure providers like Cellnex.
- 3.6 The application site has been selected by the operator as this will provide the required level of 5G network coverage while properly meeting national town planning policy

objectives for the shared use of existing electronic communication sites, in this case operated by Cellnex.

4. PRIOR ENGAGEMENT

- 4.1 The recently revised National Planning Policy Framework (NPPF) and the Code of Best Practice on Mobile Network Development in England require a consultative approach to network development with the planning authority and local community, reflecting the particular sensitivities of any given site. The proposal received Amber when assessed against the traffic light rating model (see Appendix B of the Code of Best Practice).
- 4.3 In our engagement letter that was also sent to Local Councillor's Coleman, Gledhill and Hoptroff on 15/02/21 we sought to agree with you the appropriate traffic light rating and associated engagement requirements with the local community, and obtain your comments on the siting and design of the development.
- 4.4 Regrettably we have not received any response from your authority or the councillors and accordingly we would be pleased to address any necessary matters within the determination period of the application.

5. PLANNING POLICY

5.1 The relevant planning policy and best practice framework is found principally within:

- National Policy, especially the National Planning Policy Framework (NPPF)
- The local policy framework set out in the adopted Development Plan;
- Leek Conservation Area Character Appraisal (2017)
- The Code of Best Practice on Mobile Network Development in England.

5.2 From these documents can be discerned the general policy background that exists for electronic communications development, site specific policies and the key considerations relevant to the siting and design of appropriate electronic communications development. As planning authority, you will be familiar with this framework and so in the interests of brevity, we do not rehearse it back to you in detail, but address instead the principal themes to demonstrate that the application accords with them.

National Support for Modern Communications

5.3 There is significant UK Government support for the delivery of 5G, particularly as this new connectivity will be a step change from earlier generations of mobile connectivity and will be critical to economic growth and sustainable communities. Our accompanying document of national policy '**National Policy - Delivering Ultra Fast Broadband Mobile Connectivity**', sets out how 5G mobile connectivity will underpin the UK Digital Economy and the significant social, economic and sustainability benefits of advanced modern connectivity. It is essential that the planning system looks to support and facilitate new 5G base station installations such as that proposed to meet the Government's Digital Strategy. In addition, modern connectivity, such as 5G, will be essential to help the Government meet its wider sustainability and climate change targets and we explain this in more detail in our accompanying document '**5G – Helping tackle climate change**'.

The Need to Conserve the Historic Environment

- 5.8 In this case the site falls within the **Leek** Conservation Area and as such we provide a Heritage Statement in support.

Heritage Statement

- 5.10 The general presumption in favour of allowing development for modern communications, and the special operational and technical factors that require siting of base stations within the Conservation Area is balanced by the need to conserve or enhance their heritage qualities.
- 5.11 However, paragraphs 3.2 – 3.3 of the Code of Best Practice explain that there is now far greater emphasis that visual impact should not override significant radio planning requirements to achieve mobile coverage to a particular area, particularly with the need to support the massively growing and intensifying demand for mobile communications across the UK. Indeed, in terms of looking to meet operational needs, the Code of Best Practice emphasises that the NPPF now applies a reduced policy test compared to previous guidance. This helps clarify that an operator is only required to satisfy the normal test of acceptability having regard to all material planning circumstances, rather than looking for the ‘optimum’ solution as required under the former PPG8.
- 5.12 In balancing these requirements, the starting point for planning new networks or the expansion of existing networks is to use existing electronic communications sites owned by other operators or radio site management companies, such as Cellnex. This policy objective is backed with the statutory obligation placed upon operators to share apparatus, where practicable out under General Condition 3(4) of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003, as amended.
- 5.13 In this instance, the installation of apparatus at this existing site owned or managed by Cellnex, where there are existing operations with this longstanding policy.
- 5.14 Nonetheless, any potential harm the apparatus would cause to the designated heritage asset must be assessed, as set out in NPPF paragraph 190 and how to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal. In this case, all reasonable steps have been taken, through careful siting at an existing Cellnex site, to moderate the visual impact of the development, having regard to technical and operational factors. Accordingly, the proposal looks to conserve the heritage asset.

- 5.15 In so far as there may be any perceived harm, the development proposal will have less than substantial harm to the significance of a designated heritage asset and as such, this harm has to be weighed against the public benefits of the proposal (paragraph 196). In this respect the base station is required as part of a national 5G mobile communications network, necessary to extend and improve mobile connectivity to the local area and has wider public interests. As explained, the target coverage area falls within the designated area and the special operational and technical requirements necessitate siting of new apparatus within it.
- 5.21 As a matter of principle, the development proposed is in accordance with the relevant policy framework and should be therefore be acceptable. In the next section, the Design Considerations are reviewed to demonstrate that the detail of the development is also acceptable and that in accordance with the presumption in favour, planning permission should be granted.

Local Policy Considerations

- 5.22 At local level, the proposal has been considered against:

Core Strategy Development Plan Document (Adopted 2014-2033)

DC1 Design Considerations

“All development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council’s Design SPD. In particular, new development should:

be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;

be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;

create, where appropriate, attractive, functional, accessible and safe public and private environments which incorporate public spaces, green infrastructure including making provision for networks of multi-functional new and existing green space (both public

and private) in accordance with policy C3, landscaping, public art, 'designing out crime' initiatives and the principles of active design;

incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the local and global impact of the development, and to adapt to climate change, in accordance with policy SD1; Adopted Core Strategy protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;

Promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate, in accordance with policy NE1;

Provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use; ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed;

Ensure, where appropriate, equality of access and use for all sections of the community."

DC2 The Historic Environment

"The Council will safeguard and, where possible, enhance the historic environment, areas of historic landscape character and interests of acknowledged importance, including in particular scheduled ancient monuments, significant buildings (both statutory listed and on a local register), the settings of designated assets, conservation areas, registered historic parks and gardens, registered battlefields and archaeological remains by:

- 1. Resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance.*
- 2. Promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area and those interests of acknowledged importance through the use of conservation area*

appraisals, design statements, archaeological assessments, characterisation studies and Masterplanning.

3. Preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate reuse and sensitive development, including enabling development, unless their retention is not viable or there would be substantial planning benefits to outweigh the loss.”

- 5.22 From the previously approved applications on this site it can be recognised that this site is an established building in the Leek conservation area, and when alterations are being made to the rooftop installation special consideration needs to be taken to ensure that the apparatus being installed on the building does not harm the amenity of the area. As it currently stands the equipment on the building has become one with the local area over time as the building is recognised as a telecommunication building it is not expected that the proposed installation will change the current perception and acceptance of the building as a part of the conservation area. The matters of visual impact are covered in the attached **‘Photomontage’** that provides a desktop survey investigating the potential public views of the proposal.
- 5.23 The proposed development is therefore considered to strike the best balance between meeting the specific network requirements for the operator(s) and minimising environmental impact.

6. DESIGN CONSIDERATIONS

- 6.1 The development proposed is exempt from the requirement to provide a design and access statement under Article 9 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, as amended. However, to assist your consideration of the detail, this section provides a description of the process adopted in the design of the proposals and explains the access considerations. Due regard has been given to the factors listed in Appendix A of the Code of Best Practice.

Physical Context

- 6.2 As previously mentioned being an existing telecommunications site we have aimed to follow best practice by locating at the Leek ATE. In order to provide the new technical requirements the proposed installation is seen to be in keeping with the scale and nature of the existing building.

Amount, Design, Layout and Scale of the Development

- 6.3 The scale, layout and design of the development has been guided by the special 5G technical and operational factors affecting the need to provide coverage to the local area, having regard to the need to minimise visual impact. With regard to the main component elements of the development proposed

- **Kept in proportion to the building or structure**

The scale of the apparatus is not large and when installed should look proportionate to the structure as a whole. The antennas are similar to the existing electronic communications apparatus installed on the building although higher and closer to the edge of the rooftop to meet the especial technical and operational requirements of 5G. They will therefore be seen in the context of this apparatus and will not appear as incongruous or jarring additions to the building or look out of place within the heritage area.

- **Have minimal impact above the roofline commensurate with technical constraints**

The apparatus that projects above the roofline has been kept to the minimum having regard to the technical parameters and design considerations explained above. The impact on the apparatus remains contained and new views towards this apparatus from elsewhere within the Conservation Area remain limited

- **Not be detrimental to views and general skyline**

A combination of design, topography and natural and manmade features should help keep any perceived changes to views and the skyline to within acceptable limits. Indeed, within the context of this urban location the attention of the casual observer is likely to remain be focussed more upon the streetscape.

Antenna Array

- The numbers of antennas and dishes and their size has been kept to the minimum necessary to provide 5G coverage and to link this site back into the operator's network. The design of these features is very much driven by operational and technical factors.

Access Considerations

- 6.4 Access to the site will be provided from the St Edward Street entrance, please contact the Agent prior to arranging a site visit.
- 6.5 Once constructed, the development will be unmanned requiring only periodic visits, typically once every two to three months for routine maintenance and servicing.
- 6.6 In accordance with all relevant health and safety legislation and guidelines, access to the site will be restricted to authorised personnel and the routine maintenance and servicing of the apparatus will only be carried out by properly trained and qualified staff. Electronic communications base stations are specifically designed to prevent unauthorised access by members of the public and, therefore, there is no requirement to incorporate inclusive access arrangements into the proposed layout and design of the development.

Appearance

- 6.9 The sensitive approach to siting and design should minimise the appearance of the development proposed. In addition, as indicated above the local topography and natural features should help minimise views. Insofar as the apparatus may be visible they should look straight forward in appearance and reflect its function. To that extent they should in time become accepted features of the local environment as with other forms of communications networks and essentially public utility infrastructure, such as roads and railways.

7. HEALTH AND SAFETY

- 7.1 In support of the application, we include a separate document called '**5G Health and Safety**' which sets out in more detail the associated health and safety considerations. Every installation on a site owned or managed by Cellnex will be compliant with international standards adopted by the UK Government. A certificate confirming compliance with the relevant ICNIRP guidelines on public exposure has been supplied with this application.
- 7.2 The ICNIRP guidelines seek to protect against the well-known thermal effects of radio emissions and include a significant precautionary factor. These guidelines apply to all forms of electronic communications and mobile technology is one of the lowest powered of these.
- 7.3 National planning policy remains clear, provided an application is certified as ICNIRP compliant, local planning authorities should not seek to effectively set different guidelines through the refusal of planning permission.

8. SUMMARY AND CONCLUSIONS

- 8.1 In summary, the application is in respect of a 5G electronic communications base station necessary to improve a vital network that provides public services.
- 8.2 The service provided by the operator is in the public interest and is in very high demand, with 5G being the next and highly significant advancement in mobile connectivity. In the UK mobile services now exceed fixed landlines in terms of customer numbers and usage.
- 8.3 The public interest of the system is clear from the considerable benefits that will flow and it makes a significant and major contribution towards sustainable objectives.
- 8.4 The operator's requirement is in the context of network needs associated with a 5G cellular system. These impose particular locational and siting requirements which are even greater with 5G. The technical justification clearly demonstrates the need for this apparatus proposed within the context of the operator's surrounding network.
- 8.5 The operator(s) has followed national and local planning policy and best practice guidance in the siting and design of its apparatus in recognition of the need to minimise visual impact. This has included:
- Network planning based upon existing sites, including those controlled by Radio Site Management companies like Cellnex.
 - Siting at an existing electronic communications site to minimise new sites and help avoid the unnecessary proliferation of new radio masts and sites for them.
 - Engagement in accordance with the Code of Best Practice procedures.
 - An examination of design options to try and minimise potential visual impact.
- 8.6 The proposed antennas will comply with all relevant health and safety requirements and will be compliant with the ICNIRP guidelines. There are no exceptional circumstances in this case and therefore no need to consider health effects and related concerns such as the perception of risk further.
- 8.7 This statement and the other accompanying material has demonstrated that the proposal is in accordance with local Development Plan policy and national policy set out in particular within the NPPF. In particular it is a form of development that is

specifically encouraged as a matter of principle and in its detail complies with the policy objective of minimising potential environmental impact.

- 8.8 In conclusion, the application is for sustainable development, acceptable as a matter of principle and appropriate in its detail and so one which the presumption in favour of granting approval applies.