

7 JUNE 2022 PLANNING COMMITTEE

6a PLAN/2022/0397

WARD: MH

LOCATION: Junction of York Road and Montgomery Road, Woking, Surrey, GU22 7QQ

PROPOSAL: Prior approval for proposed 5G telecoms installation: H3G Phase 8 18m high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets.

APPLICANT: CK Hutchison Networks (UK) Ltd

OFFICER: Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to Planning Committee by Councillor Lyons.

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks prior approval for a proposed 5G telecoms installation: H3G Phase 8 18m high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets.

PLANNING STATUS

- Urban Area
- Woking Town Centre
- Adjacent to High Density Residential Area (to west)
- Adjacent to Allocated Site (Ref: UA34 - Quadrant Court) (to south/south-east)

RECOMMENDATION

Prior Approval - Approved.

SITE DESCRIPTION

The site forms a planting bed (highway verge) which is located between footways to the south-east of the mini-roundabout which forms the junction between York Road, Montgomery Road and Bradfield Close. Two existing equipment cabinets are located towards the back-edge of the planting bed, a bench and refuse/recycling bin are located towards the front-edge of the planting bed. To the rear of the planting bed is a footway beyond which is a dwarf brick wall which marks the boundary to the surface car park associated with the four-storey high office building of Quadrant Court. Within the car park is a tree which reaches a height of approximately 15m above ground level.

RELEVANT PLANNING HISTORY

None

CONSULTATIONS

County Highway Authority (Surrey CC): Has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking

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provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

Fairoaks Airport: I have now assessed the above application against safeguarding criteria and can confirm that Fairoaks Airport has no safeguarding objections to the proposed development.

REPRESENTATIONS

x38 letters of objection have been received raising the following points:

- Human health concerns
- 5G roll-out should be stopped until potential health implications have been fully investigated
- 5G is effective over only a short distance and is poorly transmitted through solid material
- This is a residential road with many families and young children and very elderly residents, all of whom could be harmed
- This location is in a densely populated residential area
- Out of character
- It is unnecessary to have a 5G mast here
- Will dominate the skyline
- Adverse impact on the street scene - it will look unsightly
- Will dwarf houses and trees
- Prominent location at the junction - would be very obvious to passers-by in cars or on foot
- Out of keeping with the period houses in the area, particularly those in York Road
- Negative impact on natural light and overshadowing
- Detrimental effect on ecology, including upon bats
(Officer Note: This does not constitute a prior approval matter)
- There are far more suitable locations, and none have been proposed
- Would benefit only a small minority of people in the area
- York Road has enough pollution from traffic and from the Day Aggregates yard
- Will significantly decrease property value
(Officer Note: Potential impact on property values does not constitute a material planning consideration)
- Could instead be placed on one of the many high rise buildings now in Woking Town Centre
- Could prejudice any future widening of York Road
- Will be located close to Consort Court, retirement housing of 51 flats
- There is already enough high rise building in this part of town
- Reduction of the footpath in this area
(Officer Note: The proposed equipment would not encroach onto the adjacent footway)
- Removal of existing shrubbery will only make the area look stark and utilitarian
- Would be at risk of damage from the proposed 300+ Day's lorries mounting the pavement to negotiate the small roundabout
- Insufficient neighbour notification

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(Officer Note: Direct neighbour notifications have been undertaken in accordance with the Council's adopted Statement of Community Involvement (SCI), a site notice has also been posted)

- Works required to erect and maintain the mast would cause further disruption and pollution for local residents

x1 letter of support has been received raising the following points:

- Addition of 5G coverage in the centre of Woking will greatly enhance the commercial appeal and broader development of Woking into the future
- Should it be found that a standalone 5G mast on the currently proposed site is too much of an eyesore for the area, would suggest that it be sited on the roof of Quadrant Court

Any further representations received will be reported at Planning Committee.

COMMENTARY

Amended plans were submitted on 25 May 2022. The only change made by these amended plans - in comparison to the initially submitted plans - is a slight colour change to the proposed street pole mast. Following Officer comments, the applicant now proposes the street pole mast to be coloured RAL 7039 (Quartz grey), as opposed to the initially proposed RAL 7023 (Concrete grey). This is because RAL 7039 (Quartz grey) is considered to represent a closer colour match to that of Surrey CC street lighting columns. The applicant has confirmed that the whole street pole mast will be coloured RAL 7039 (Quartz grey).

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2021)

Section 4 - Decision-making

Section 10 - Supporting high quality communications

Section 12 - Achieving well-designed places

Woking Core Strategy (2012)

CS2 - Woking Town Centre

CS21 - Design

CS25 - Presumption in favour of sustainable development

Development Management Policies Development Plan Document (DM Policies DPD) (2016)

DM22 - Communication infrastructure

Site Allocations Development Plan Document (October 2021)

UA34 - Quadrant Court, Guildford Road, Woking, GU22 7QQ

Supplementary Planning Documents (SPDs)

Outlook, Amenity, Privacy and Daylight (2022)

Other Material Considerations

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2 Permitted development rights; Part 16 Communications

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PLANNING ISSUES

How the mobile network works

01. Mobile communications systems consist of a network of overlapping cells at the centre of which is a base station. The main cells are called micro-cells. However, to deal with specific capacity or topographical issues, these might contain pico-cells.
02. The base station usually consists of antennas attached to a supporting lattice, pole or building and equipment cabinets. The antenna transmits and receives radio waves. Each base station needs to be connected to the wider network by one or more microwave dishes or a landline.
03. A mobile device converts data (or the human voice) into radio waves. These signals are transmitted from the device to the nearest base station and from there to the wider network. They are then transferred to the receiving mobile device from the nearest base station.
04. Masts generally take the form of lattice towers or monopoles. The number of base stations required can be affected by several factors including call and data volumes and topography. Antennas need 'line of sight' to the area they serve and consequently, coverage can be affected by topographical features such as hills, trees or buildings. Coverage inside a building will generally be less good than outside. Antennas for different systems and operators need to be spaced apart to avoid interference. Calls may only cover a small area. This might be a few hundred metres in urban areas or 2-3km in rural areas.

Development of mobile networks and operators

05. The Second Generation (2G) network provided for mobile telephone calls and text messages. 3G provided access to the internet and 4G provided mobile broadband at speeds which are similar to those from a fixed broadband connection. The roll-out of 5G started around 2020. This will provide improved device connectivity, ultra-low latency (delay), better capacity and ultra-high speeds. The Government's ambition is for the majority of the population to have access to a 5G signal by 2027.
06. In order to deliver 5G, replacement and additional installations will be required. This is because 5G uses a higher radio frequency which creates different technical constraints, and this determines the siting and design of any infrastructure. In particular, whilst more data can be transmitted via 5G the signal cannot propagate as far or through obstructions. This means that the target service area is likely to be smaller and that base stations will need to be taller to achieve a 'line of sight'. Heavier antennas are also needed for 5G so that any supporting structures will need to be more robust. Each operator's network is separate although some base stations are shared.

Permitted development and prior approval

07. The application has been made to the Local Planning Authority for a determination as to whether prior approval will be approved as to the siting and appearance of the development for the proposed 5G telecoms installation: H3G Phase 8 18m high street pole c/w wrap-around cabinet and 3 further additional

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equipment cabinets. The application has been submitted under the provisions of Article 3, Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).

08. Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply to Class A of Part 16 of the GPDO and does not require regard to be had to the development plan. As the principle of development is established through the grant of permission by Article 3(1) of the Order, a prior approval application should not be determined, expressly or otherwise, on the basis of S38(6) or as though the development plan must be applied.
09. Nevertheless, development plan policies may be relevant in prior approval cases, but only insofar as they relate to the matters of siting and appearance. So, if the development plan contains material that is relevant to the planning judgement to be made, it may be taken into account as a material consideration. Part 16 of the GPDO does not require regard to be had to the National Planning Policy Framework (NPPF). However, the policies in the NPPF are capable of being a material consideration and should be treated as such.

Assessment against conditions and limitations of Class A of Part 16 of the GPDO

Permitted development

- 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.*

Development not permitted

Development not permitted: ground-based apparatus

- A.1 - (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 – proposal relates to 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*

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- apparatus or a height of 15 metres above ground level, whichever is the greater; **N/A**
- (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; **Complies** or
 - (ii) 25 metres above ground level on article 2(3) land or land which is on a highway **Complies**;
- (d) in the case of the alteration or replacement of a mast, 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 **N/A**; or
 - (ii) 25 metres above ground level on article 2(3) land or land which is on a highway **N/A**; or
- (e) in the case of the alteration or replacement of a mast-
- (i) the mast is on any land which is, or is within, a site of special scientific interest **N/A**;
and
 - (ii) the mast would, when altered or replaced, exceed the original width of the mast by more than one third **N/A**.

Development not permitted: building-based apparatus other than small antenna and small cell systems

A.1 - (2) N/A

Development not permitted: apparatus on masts

A.1 - (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. **Complies**

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

A.1 - (4) N/A

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

A.1 - (5) N/A

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

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A.1 - (6) N/A

Development not permitted: ground or base area

A.1 - (7) N/A

Development not permitted: driver information systems

A.1 - (8) N/A

Development not permitted: radio equipment housing

A.1 - (9) N/A

Development not permitted: public call box

A.1 - (10) N/A

Prior Approval

A.3 - (4) Assessment of siting and appearance of the development.

10. The NPPF (2021) contains at its core a presumption in favour of sustainable development which runs through both plan-making and decision-making processes. The NPPF recognises the vital importance of high-quality telecommunications and dedicates a chapter to this area, Chapter 10 (Supporting high quality communications). Paragraph 114 states:

“Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).”

11. The NPPF continues at Paragraph 115 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. 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.”

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12. The NPPF states at Paragraph 118 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.”

13. The only issues which can be considered in respect of a prior approval application for telecommunications equipment are siting and appearance. There is no definition of these terms in the GPDO or in extant national planning policy or guidance. Nor have these terms been considered by the Courts. However, as a matter of practice, at appeal Inspectors generally take the following considerations into account when considering siting and appearance:

- Visual – i.e., the effect the siting would have on the appearance of the area;
- The need for the development to be sited in this location - i.e., the availability of other potentially less harmful siting options;
- Highway safety – for example, the effect that the siting might have on visibility splays or safe pedestrian movement along a pavement;
- Living conditions – for example, the effect of the siting on the outlook or the health of neighbours (although on health aspects paragraph 118 of the NPPF refers regarding the ICNIRP guidelines for public exposure; operators are required to confirm that each mast complies with these); and

Visual

14. Policy CS21 (Design) of the Woking Core Strategy (2012) requires proposals for new development to respect and make a positive contribution to the street scene and the character of the area in which they are situated. Policy CS2 (Woking Town Centre) of the Woking Core Strategy (2012) requires that new development proposals should deliver high quality, well designed public spaces and buildings, which make efficient use of land, contribute to the functionality of the centre and add to its attractiveness and competitiveness. However, Policy DM22 (Communications infrastructure) of the Development Management Policies Development Plan Document (2016) is more flexible. This policy favours telecommunications equipment and installations provided that, amongst other things, they are sited and designed so as to minimise the impact on the visual amenity, character and appearance of the surrounding area.
15. The site forms a planting bed (highway verge) which is located between footways to the south-east of the mini-roundabout which forms the junction between York Road, Montgomery Road and Bradfield Close. The site is undoubtedly a prominent one at the entrance to Woking Town Centre (as this is defined by the Proposals Map), and where there is a clear transition between the suburban residential area, particularly that to the west, and the greater density and height of buildings in Woking Town Centre. Whilst the site is prominent, it is not on one of the major routes into Woking Town Centre.
16. Two existing equipment cabinets are located towards the back edge of the planting bed, and there is a bench and refuse/recycling bin located towards to the front edge. To the rear of the planting bed is a footway beyond which is a

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dwarf brick wall which marks the boundary to the surface car park associated with the four-storey high office building of Quadrant Court. Within the car park is a tree which reaches a height of approximately 15m above ground level.

17. Whilst the antennas would all unshrouded for technical reasons (due to the requirements of 5G) they have been designed to be as tight as possible to, and not significantly wider than, the main column of the street pole (mast), so as to minimise their visual appearance. If the column and antenna widths were to be any slimmer then the 5G technology would not fit into a single column and another radio base station would be required, which would lead to an unnecessary proliferation of masts. Similarly, if the column were to be a uniform width throughout then the overall width would have to increase which would appear more visually prominent in the street scene than the proposed design. Whilst the unshrouded nature of the antennas would result in a different visual appearance to the existing generation of 4G masts (in which antennas are usually shrouded) 5G rollout is increasing throughout England and therefore street pole masts with unshrouded antennas, as is proposed in this instance, will become an increasingly common sight which will become less visually prominent over the course of time as the population becomes accustomed to seeing them on a more regular basis.
18. The equipment cabinets would have a low height and would align with two existing cabinets which are located at the back of the planting bed; whilst being readily visible due to their positioning they would be viewed in conjunction with the existing equipment cabinets and are proposed to be Green RAL 6009 in colour, essentially a dark green; this would help coalesce these items into the immediate foreground of the planting bed.
19. In respect of the proposed street pole mast vertical structures, including 4no. street 8m high street lighting columns on each 'corner' of the adjacent mini-roundabout, road signage and telegraph poles exist in the immediate area and in this context, although readily taller, the verticality of the mast would not appear unduly incongruous and it would have a relatively slim profile, although would be wider towards the top. The mast would also be viewed in conjunction with the adjacent existing 15m high tree which is located within the surface car park of Quadrant Court and there are other trees of a similar height within the area. Whilst trees are a natural feature, they nonetheless form vertical features, of a not dissimilar height, which would assist in reducing the visual prominence of the mast.
20. The height of the street pole mast would be viewed, whether approaching in a northerly direction from Montgomery Road, in a southerly direction from Bradfield Close, or in an easterly or westerly direction from York Road, either against the backdrop of, or in conjunction with, adjacent Quadrant Court, a four-storey office building with a maximum height of approximately 17.0m, this being only approximately 1.0m less than that of the proposed mast. When approaching in a northerly direction from Montgomery Road the mast would also be viewed either directly against the profiles of, or alongside the profiles of, the existing tall buildings associated with the Victoria Place development, the New Central development which comprises buildings of different heights, the tallest of which is 18-storeys, and, if implemented, the extant planning permission for buildings ranging in height up to 37-storeys fronting Goldsworth Road (ref: PLAN/2020/0568). In these views the eye of the viewer would likely

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be drawn more towards the tall buildings, and their profiles, than the relatively slim profile of the mast, notwithstanding that the mast would be closer.

21. It is also a highly material consideration that planning permission exists (ref: PLAN/2016/0834, remains extant until 14 July 2023) for the construction of a 6-storey building (comprising x46 flats) on the site directly opposite, i.e., on the other side of York Road. That permitted development would present a 6-storey height to the corner of York Road and Bradfield Close which would measure approximately 20.2m in height where opposite the proposed mast. In this context the 18.0m height of the mast would not appear readily incongruous nor excessive.
22. Between its junctions with Montgomery Road/Bradfield Close and Wych Hill Lane York Road takes a somewhat 'meandering' route, thus reducing the extent of views in which the proposed street pole mast would appear 'head-on' when approaching from this direction. Furthermore, it is also material that when moving along York Road (from the direction of Wych Hill Lane) towards the location of the proposed mast that the existing tall-building of Harrington Place (x13 storeys maximum height, ref: PLAN/2017/0644) breaks the skyline as existing. York Road is relatively short between its junctions with Montgomery Road/Bradfield Close and Guildford Road and therefore the proposed street pole mast would not be visible 'head on' from a significant distance in these views. The junction between York Road, Montgomery Road and Bradfield Close is also relatively wide which would serve to ensure that the proposed street pole mast, by reason of its height, would not have an undue overbearing presence within the street scene.
23. For the combined preceding reasons, it is considered that the proposed street pole mast would not readily stand out as an unexpected and obtrusive feature in this setting, and it must be borne in mind that effective telecommunications masts, by their inherent nature, are required to be high/tall. Although the proposed installation would not make a positive contribution to the street scene and the character of the area in which it would be situated, neither would it be significantly harmful to the visual amenity, character and appearance of the surrounding area.
24. It has been noted previously that, whilst it would not make a positive contribution to the street scene and the character of the area in which it would be situated the proposed installation would be sited in the context of existing and extant buildings of a similar height and other vertical structures/features and other street furniture. It would thus be sited so as to minimise the impact on the visual amenity, character and appearance of the surrounding area. It is therefore concluded on this issue that the proposal would conflict with Policies CS2 and CS21 of the Woking Core Strategy (2012) but comply with Policy DM22 of the Development Management Policies DPD (2016). Consequently, the development would have limited conflict with the development plan taken as a whole in this respect.

The need for the development to be sited in this location

25. Paragraph 117c) of the NPPF expects evidence to be submitted to justify all applications. For a new mast or base station this includes evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure.

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26. The applicant identifies that the site is required to provide new 5G coverage for CK Hutchison Networks (UK) Ltd, improving service in and around the area subject to this application. The cell search areas for 5G are extremely constrained with a typical cell radius of approximately 50m, the applicant has identified the cell search area and states that there is an acute need for a new base station to provide effective service coverage and that the height of the proposed street pole mast is the minimum required to bring the benefits of 5G to this area. The applicant also states that in this cell search area, existing mast sites are not capable of supporting additional equipment to extend coverage reach across the target area and prospective 'in-fill' mast sites are extremely limited. The applicant has identified discounted alternative options within the cell search area, with these options being discounted by the applicant for reasons including narrow pavement widths and visibility splay issues. The discounted options are reasonably comprehensive (given the small size of the cell search area) and demonstrates the lack of more suitable alternative sites within the cell search area. There is no good reason to counter the applicant's conclusions in this respect.
27. The applicant is considered to have demonstrated that there is a need for the development to be sited in this location. On this basis the siting and appearance of the proposed development should be assessed bearing in mind that such proposals are permitted development and have been accepted in principle. The installation therefore has to be sited somewhere within the target area. A lack of suitable alternatives is indicative that the proposal is the 'least worst' option. Given the acceptance of telecommunications equipment by the GPDO this is a strong factor in favour of approving prior approval.
28. Whilst local residents may state that a mobile signal can be received in the area this does not amount to an assessment of need. It may relate to a different network and does not necessarily reflect issues relating to capacity, in building coverage or signal strength, or provide 5G capability.

Highway safety

29. The street pole mast and equipment cabinets would be sited towards the back edge of a planting bed (highway verge) which is located between footways. As such they would not obstruct the pedestrian footways. In respect of vehicular visibility splays the applicant has submitted a visual splay plan with the application to demonstrate that the siting of the proposed street pole mast and cabinets would not obstruct the existing visual splay zone at the junction of Montgomery Road and York Road.
30. The County Highway Authority (Surrey CC) has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements. As such, no objection is raised in respect of highway safety.

Living conditions (including health)

31. Policy CS21 of the Woking Core Strategy (2012) states that "*Proposals for new development should...Achieve a satisfactory relationship to adjoining*

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properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook". More detailed guidance is provided within SPDs Outlook, Amenity, Privacy and Daylight (2022) and Design (2015).

32. The potential loss of enjoyment of a view is not a ground on which prior approval can potentially be refused although the impact of a development on outlook is a material consideration and stems on whether the development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and arrangement of buildings and uses. However, paragraph 2.5 of SPD Outlook, Amenity, Privacy and Daylight (2022) does state that "*Outlook from a principal window will generally become adversely affected when the height of any vertical facing structure exceeds the separation distance from the window. When a structure is placed too close to a window so that it completely dominates the outlook it will have an overbearing impact*". It must also be noted that Policy CS21 of the Woking Core Strategy (2012) refers to "*significant harmful impact*", this is the threshold which must be reached to form any potentially robust, and defensible, reason for refusal on living conditions grounds.
33. No.7 York Road (to the north-east, on the opposite side of York Road) does not contain any residential property albeit the proposed mast would remain 20m+ distant from the closest corner of No.7 in any case. The proposed mast would be located 30m+ away from the closest corner of Consort Court (No.5 York Road), and 60m+ away from the closest corner of No.3 York Road (both to the north-east). The proposed mast would be located 55m+ away from Chataway House, Bradfield Close (to the north) and 40m+ away from Waverley Court properties (to the north-west).
34. The closest relationships would be with No.10 York Road and No.12 The Hollands (both to the west/south-west) albeit the mast would remain approximately 20m-21m away from these properties, which have openings facing towards York Road and Montgomery Road respectively. The proposed mast would remain 40m+ from No.2 The Hollands (to the south-east).
35. Whilst the proposed mast would, in the event that extant planning permission ref: PLAN/2016/0834 was to be implemented, be located opposite a 6-storey building (comprising x46 flats) on the other side of York Road, the approved plans for ref: PLAN/2016/0834 show that (above ground level) the permitted building would be located a minimum of 4m from the back-edge of the footway. As such, the proposed mast would remain approximately 20m away from the facing elevations of the permitted building, in the event that extant planning permission ref: PLAN/2016/0834 was to be implemented.
36. As the preceding paragraphs demonstrate the proposed mast would remain at least 20m distant from nearby existing and extant residential properties, thus all separation distances would exceed the 18m vertical height of the mast in accordance with the guidance contained within paragraph 2.5 of SPD Outlook, Amenity, Privacy and Daylight (2022). It must also be borne in mind that the mast would be a relatively slim vertical element which would not have a significant bulk/mass. Given its respective height, thickness and siting in

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relation to residential properties the mast would not give rise to any significantly harmful impact upon living conditions by reason of potential loss of daylight, loss of sunlight or overbearing effect and would comply with Policy CS21 of the Woking Core Strategy (2012) in this respect. Whilst the mast would clearly be visible from a large number of existing and extant residential properties, particularly from upper floor windows, this factor does not, in itself, amount to significant harmful impact and its siting would be such that no significant harmful loss of outlook would arise to residential properties. Given the height and siting of the proposed equipment cabinets these raise no living conditions concerns.

Health

37. It is a requirement that the network operators confirm that the proposals are International Commission on Non-Ionizing Radiation Protection (ICNIRP) compliant. This is referred to at paragraph 117b) of the NPPF. The application has been submitted with a certificate stating that the proposal complies with the requirements of the ICNIRP radio frequency public exposure guidelines.
38. Numerous letters of objection make comments about the implications for health. Health, and public fears about health, are capable of being a material planning consideration, and have been taken into account, in the context of the NPPF, in the assessment of this prior approval proposal. However, paragraph 118 of the NPPF makes clear that LPAs should not set health safeguards that are different from the International Commission guidelines for public exposure, stating:

“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.”

Site Allocations Development Plan Document (October 2021)

39. The site is adjacent to, although not within, Quadrant Court, Guildford Road, as it is allocated within the Site Allocations Development Plan Document (October 2021) under Policy UA34. Policy UA34 allocates Quadrant Court for “*additional office use*” with an anticipated site yield of 1,000 sq.m (net) office, by the end of 2026/27. The proposed installation would not prejudice the potential delivery of Policy UA34.

Local Finance Considerations

40. The application seeks prior approval with regard to telecommunications equipment and consequently is not Community Infrastructure Levy (CIL) liable.

Conclusion

41. In conclusion, the proposed installation falls within the provisions of Article 3, Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The NPPF supports the development of communications infrastructure. The limited conflict with Policies CS2 and CS21 of the Woking Core Strategy (2012) is outweighed

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by the compliance with Policy DM22 of the Development Management Policies DPD (2016) and the need for the development to be sited in this location. Accordingly, it is recommended that prior approval should be approved.

BACKGROUND PAPERS

Site visit photographs

Site notice (General, dated 11.05.2022)

Consultation response(s) from County Highway Authority (CHA) (Surrey CC)

Consultation response from Fair Oaks Airport

RECOMMENDATION

Prior Approval - Approved subject to the following condition(s):

01. The development for which prior approval is hereby approved must commence within a period of 5 years from the date of this decision.

Reason: To comply with Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

02. The development for which prior approval is hereby approved must only be carried out in accordance with the approved plans and particulars as listed below:

002 Site Location Plan Rev A, dated 25.05.22 (rec'd by LPA 25.05.2022)

215 Proposed Site Plan Rev A, dated 25.05.22 (rec'd by LPA 25.05.2022)

265 Proposed Site Elevation Rev A, dated 25.05.22 (rec'd by LPA 25.05.2022)

304 Proposed Configuration Antenna Schedule, dated 25.05.22 (rec'd by LPA 25.05.2022)

307 Equipment Schedules & Dependencies Rev A, dated 25.05.22 (rec'd by LPA 25.05.2022)

ICNIRP Form English V10, dated 10-07-2021 (2pp) (rec'd by LPA 28.04.2022)

Reason: To comply with Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informatives

01. The applicant is advised that this decision solely represents the determination of the Local Planning Authority under Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The applicant is advised to investigate whether consents or permissions under any other regulatory regimes would be required before the commencement of the development.

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02. The applicant is advised that this decision does not convey the right to build on land not within their ownership.