

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 221602

Land at Whitecross Road, Hereford,

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**CASE OFFICER:** Mr Simon Rowles  
**DATE OF SITE VISIT:** 24/05/22

**Relevant Legislation and Policy:** Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)  
Schedule 2, Part 16, Class A

**Herefordshire Local Plan – Core Strategy:**

SS6 - Environmental quality and local distinctiveness  
LD1 - Landscape and townscape  
LD4 - Historic environment and heritage assets  
SD1 - Sustainable design and energy efficiency

**NPPF (July 2021):**

Section 10 – Supporting high quality communications

**Relevant Site History:** There is no relevant site history

### CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
City Council	X		X		
Historic Buildings Officer	X	X			
Historic England	X	X			
Environmental Health	X	X			
Site Notice	X	X			
Local Member	X			X	

### PLANNING OFFICER'S APPRAISAL:

Site description and proposal:

The application site lies on the northern side of Whitecross Road (A438) in Hereford City, approximately 55m south-east of the roundabout containing the grade II star listed White Cross monument. It is a small rectangular parcel of land contained within the grass verge adjacent to the carriageway, bound by steel safety railings and set between the bus stop and the signalised pedestrian crossing. The application is a prior

notification for a proposed telecommunications installation comprising a 16m tall Phase 8 Monopole with wraparound cabinet at base and associated ancillary works. The steel mast would be finished in a grey colour.

Representations:

**City Council –**

Hereford City Council had no objection although councillors felt that the proposed telecommunications pole should not be the eyeline of the entire street. As it has such a high elevation, councillors would like to ask if there is any way of lowering or lessening the impact of the telecommunications pole before giving approval.

**Local Member –**

The LWM (Cllr Boulter) was updated by email on 27<sup>th</sup> June 2022 and no request was made for redirection to Planning Committee in his email response.

Pre-application discussion:

None

Constraints:

- Grade II\*- SO44SE WHITECROSS ROAD - White Cross 10/06/52

Appraisal:

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) grants planning permission for certain forms of development at article 3 and the provisions within Schedule 2. In particular, with regard to this proposal, Part 16 permits communications infrastructure. However, this grant of planning permission is subject to a number of criteria and conditions, including A.2 (3) and A.3 (4), which require that prior to development taking place 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.

The policies of the development plan are regarding as being material considerations for this appraisal insofar as they relate to the matters for consideration. However, the GDPO does not contain a trigger for engaging the statutory weight normally attributed to development plan policies. The NPPF is a material consideration, which sets out at Section 10 that decisions should support the expansion of electronic communications networks, including next generation mobile technology such as 5G. The NPPF places great value upon the role high quality and reliable telecommunications infrastructure plays in supporting economic growth and social well-being. However, it also states that mast sites 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.

In this regard, applications should be supported by the necessary evidence to justify the proposed development. Furthermore, it is made clear at paragraph 118 of the NPPF that LPAs must determine applications on planning grounds only; and 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.

### *Siting and appearance*

Policy LD4 states that development proposals should protect, conserve and enhance the heritage assets and wider historic environment that they affect. As the site lies within reasonably close proximity to the grade II\* listed White Cross, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant. This sets out a duty that, where development affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Given the proposed siting of the mast, it has the potential to adversely affect the historic environment and notably a designated heritage asset of particular national importance or special interest.

The NPPF, at paragraph 189, states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance; and, at paragraph 195, states that planning decisions should take into account available evidence and expertise when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between conservation and any aspect of the proposal. Through paragraphs 199 and 200 the NPPF makes clear that the greater significance of a designated heritage asset the greater the weight should be for its conservation.

The proposed new telecommunications infrastructure would be viewed within the context of the urban area, which features mixed commercial and residential land uses along Whitecross Road. It is regrettable that a site along a main thoroughfare into the city has been chosen, given the 16m tall mast would stand out above the ridgeline of buildings, mature trees and street furniture (such as telegraph poles and street lighting columns). Nonetheless, it is considered that there would be no significant adverse impact in relation to amenity based on surrounding vegetation and physical infrastructure. The visual impact of the proposed mast and associated equipment would not be unacceptably prominent in the context of the well-established and mixed character of the area; and the limited to moderate harm arising is outweighed by the benefits of enhanced 5G network coverage in my view.

The site has been selected on the basis of a grassed verge area of the highway in a position that will not impede pedestrian flow or the safety of passing motorists. Herefordshire Council, as land owner, has been served with the appropriate notice. 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. Further information on the site

selection process is contained at Section 6 of the Site Specific Supplementary Information; with discounted sites raising similar issues. As regards the City Council's query, a lower mast is not possible without compromising requisite network coverage. Masts range up to 25m tall and this option, at 16m, tall, is at the lower end of the spectrum.

There would be views in conjunction with the cross monument, both from along Whitecross Road and in the other direction from Three Elms Road and Kings Acre Road, but the harm arising in the context described above would not give rise to a substantive reason to withhold prior approval. It is noted that the operator has undertaken a sequential site search which aimed to ensure optimal position for its function and to minimise landscape and amenity impacts.

The application is accompanied by the necessary ICNIRP compliance statement, which in combination with the siting of the mast relative to surrounding dwellings, leads to the conclusion that there would be no significant impact on public health.

In conclusion, the proposed siting and appearance of the telecommunications mast is acceptable having regard to relevant factors and local and national planning policy.

#### **RECOMMENDATION: PRIOR APPROVAL NOT REQUIRED**

#### **CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:**

*(please note any variations to standard conditions)*

Insert drawing no. to standard condition requiring conformance to approved details – HFD16254\_M001 – 002 Rev. A; 005 Rev. A; 210 Rev. A; and 260 Rev. A

#### **Informatives**

N/A

Signed:  Dated: 01/07/22

**TEAM LEADER'S COMMENTS:**

**DECISION:**

**PERMIT**

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**REFUSE**

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Signed:



..... Dated: 1 July 2022 .....

Is any redaction required before publication?    No