



Delegated Report

Variation of Condition Application

Application No:	20211067
Location:	Northfleet Wastewater Treatment Works, Thames Way, Northfleet, Kent
Description:	Application for variation of condition 2 attached to planning permission reference no. 20200819 for replacement of existing 25m height mast with a new 30m high mast, together with development ancillary there to at the telecommunications facility to allow amendment to the proposed equipment.
Applicant:	Wireless Information Group
Site Visit:	N/A Desktop Assessment

Submitted Documents/Plans

Application Form - dated 25/08/21;
Cover Letter - dated 18/08/21;
Supplementary Information - ICNIRP Declaration - dated 25/10/2021 (received 26/10/2021);
Drawing no. 100 - Rev. C - Site Location and Block Plans (dated 03/12/20);
Drawing no. 101 - Rev G - Existing Site Plan - Ground Level;
Drawing no. 102 - Rev. C - Proposed Site Plan - Ground Level (dated 03/12/20);
Drawing no. 103 - Rev G - Existing Site Elevation;
Drawing no. 104 - Rev. C - Proposed Site Elevation (dated 03/12/20);
Drawing no. 105 - Rev. C - Proposed Equipment Cabinet Plan (dated 03/12/20);

Supplementary Information - Previous Decision Notice (20200819);
Drawing no. 102 - Rev. G - Proposed Site Plan - Ground Level (previously approved) (dated 28/09/18);
Drawing no. 104 - Rev. G - Proposed Site Elevation (previously approved) (dated 28/09/18).

Relevant Planning History

Application No.	Description	Status	Decision
20200819	Replacement of existing 25m height mast with a new 30m high mast, together with development ancillary there to at the existing telecommunications facility.	PERMITTED	13.10.2020

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS07 - Economy, Employment and Skills
- CS10 - Physical and Social Infrastructure

- CS12 - Green Infrastructure
- CS18 - Climate Change
- CS19 - Development & Design Principles

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 - Achieving Sustainable Development
- Section 10 - Supporting high quality communications
- Section 12 - Achieving sustainable development and well-designed places

Consultations, Publicity and Representations

Consultees

Ebbsfleet Development Corporation (EDC) - I write in response to your letter dated 1st September 2021 inviting the views of the Ebbsfleet Development Corporation (EDC) on the above planning application currently under consideration by the Borough Council.

EDC previously made comments on the original application (GBC reference 20200819) raising concerns over the height of the communications mast and its impacts on the longer distance views of the area. For information only, please be advised of EDC's Thames Way Development Area Concept Plan which was recently published for public consultation and comprises land surrounding the site.

In relation to the variation of the scheme, EDC has no further comments. However, EDC would like to highlight the red line site boundary is different from the original plan.

GBC Regulatory Services - No comment received.

Neighbouring properties

A notice was displayed on site 3rd September 2021.

In addition, one surrounding business was consulted and no representation was received. The consultation period expired 24th September 2021.

Officer's Analysis

The Site

The application site is located (Thames Way) bypass within Treatment Works. It is located residential properties at approximately 800m from The uses in the immediate



on the southern side of the A226 the grounds of the Northfleet Water approximately 200m from the nearest Springhead Estate and is Ebbsfleet International Rail Station. vicinity are predominantly industrial

with the treatment works and Springhead Enterprise Park.

The site is set-back from the highway by 36m (approx.) and has been in use as a telecommunications station for in excess of 16 years.

The Proposal

This application seeks to vary condition 2 attached to the planning permission ref. 20200819 for the approval of a *“Replacement of existing 25m height mast with a new 30m high mast, together with development ancillary there to at the existing telecommunications facility.”* (permitted 13/10/2020).

The changes to the development are as follows:

- Change of tower type from a 30m ATS 1300 Lattice mast to a slimmer 30m 1S Swann Lattice tower;
- Relocation of 3No. existing antenna, 3No. MHA's and 3No. combiners on new ringframe;
- Proposed 6No. antenna and 12No. ERS's to replace existing 3No antenna;
- Relocation of existing 300mm and 600mm diameter dishes and the installation of 2No. additional 300mm diameter dishes;
- Together with ancillary development thereto.

The Principle of the Development

The previous application (ref. 20200819) determined that a 30m tall telecommunications tower was acceptable in this location and considered it to be in accordance with local and national planning policy. The key issues to consider in this variation application are:

- Design, Character and Appearance
- Impact on Amenity

Design, Character and Appearance

In the previous report an analysis was undertaken to assess the potential impact on the appearance of the surrounding area through a mixed desktop assessment (google street view assessment) and site visit photographs. The previous delegated report (20200819) has been attached as appendix 1.

Ebbsfleet Development Corporation, the adjoining authority, provided comments on both applications. Previously the comment concerned the “longer-distance views of this area” which we considered in detail during the analysis. The comment on this application reiterated the concern and introduced a new Concept plan for the Blue Lake area, near to the site.

The new tower is a slimmer structure, as shown in image 1 below. However, there are more antenna proposed on the new tower and the crown is wider by 0.65m (approx.) as a result. The additional antenna and dishes do make the top of the new tower appear more cluttered, which is exacerbated by the slimmer structure. Nevertheless, the overall bulk of the tower will be reduced and is therefore considered to be a

better compromise that will reduce the impact on the appearance of the surrounding area.

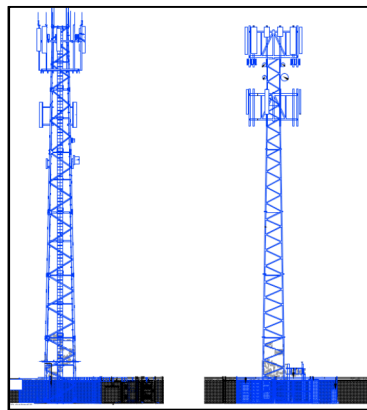
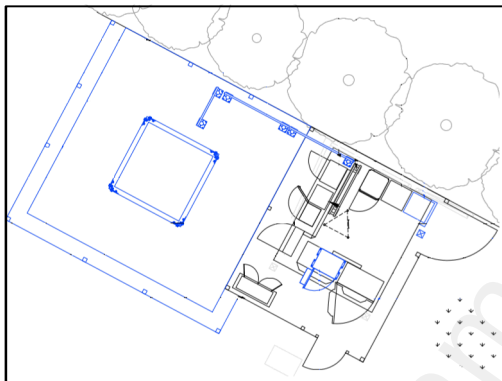


Image 1 - Tower Comparison

In terms of the compound, the area of the site will be reduced as part of this amendment from 79.5m² to 48.1m². The ground based cabinets will be relocated and positioned closer to the tower, there are no additional cabinets proposed, however the relocation of these cabinets into a more linear layout allows for a change to the shape of the compound into a square shape.

Previously Approved



Proposed Amendment



Overall, the new tower proposed is considered to be less impactful on the surrounding area by virtue of its slimmer design and reduced bulk. In addition, the compound and ground based apparatus have been reduced in scale and relocated to scale down the size of the footprint. As such the Local Planning Authority consider the design of the new tower to be an improvement and the proposal is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

Impact on Amenity

Surrounding Occupants and Businesses

The development hereby proposed is not considered to be any impact on the amenity of surrounding occupants as a result of this development. No representations received regarding the application. Even if a representation was received it would have been unlikely to raise any new material planning considerations which would warrant amendments to the application or change the decision.

ICNIRP Declaration

An ICNIRP is a declaration from the 'International Commission on Non-Ionizing Radiation Protection' which demonstrates that a telecommunications development will protect people and the environment from detrimental non-ionizing radiation exposure.

According the Government produced 'Code of Best Practice on Mobile Network Development in England' (2016), an ICNIRP certificate should accompany new telecommunications developments. The agent was contacted by telephone 20/10/2021 regarding if a new ICNIRP Declaration would be provided to support this application, and stated that the previous INCIRP Declaration is still valid on this application because there are no new antenna are proposed at different heights on the tower.

There was no detailed information regarding the requirement of a new ICNIRP Declarations supporting variation of condition application found online. Specifically as this application is not for a new telecommunications development, but for a variation to the tower and apparatus. In addition, the NPPF limited Local Planning Authorities ability to question the health and safety of telecommunication development, stating that:

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

Notwithstanding this, the Government produced 'Code of Best Practice on Mobile Network Development in England' (2016) also confirms that it is the role and responsibility of mobile operators to comply with the guidance laid out in the International Commission on Non-Ionizing Radiation Protection public exposure levels guidance.

However, given that the previous ICNIRP declaration covered drawings that would be replaced as part of this variation application it was considered that a new declaration was necessary. A new ICNIRP declaration was requested and was received 26/10/2021 and as such the Local Planning Authority consider that the development will not have any adverse risk on people's health or the environment.

Note

It is noted that there is an error on the ICNIRP declaration regarding the revision numbers on existing drawings:

- Drawing no. 101
- Drawing no. 103

This is not considered to be an major area of concern and will be covered by an informative attached to the decision notice.

Conclusion

Considering the all of the above, the proposed new tower structure, antenna and other apparatus will not impact on amenity and is in accordance with Policy CS19 (LPCS).

Suggested Conditions

Previous conditions (3 / 4) attached to planning permission ref. 20200819 will be attached to this permission. However, the following conditions will be changed.

Condition 1 will be changed to read:

1. The development to which this permission relates must be begun not later than 13 October 2023

Reason In pursuance of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2 will be changed to read:

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

- Application Form - dated 25/08/21;
- Cover Letter - dated 18/08/21;
- Supplementary Information - ICNIRP Declaration - dated 25/10/2021 (received 26/10/2021);
- Drawing no. 100 - Rev. C - Site Location and Block Plans (dated 03/12/20);
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- Drawing no. 105 - Rev. C - Proposed Equipment Cabinet Plan (dated 03/12/20).

Reason For the avoidance of doubt and in the interests of proper planning.

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

The new design of the telecommunications tower is slimmer and is considered less impactful on visual amenity by virtue of reduced bulk. Similarly, the extent of the compound has been reduced which reduces impact. There will be no impact on amenity of surrounding occupants or businesses and is supported by an ICNIRP Declaration.

Therefore, it is recommended that planning permission is granted.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	26 th October 2021	Dated:	27 th October 2021