

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H03-0433-26 **Applicant:** Arqiva UK Ltd

Proposal: Proposed Telecommunication Apparatus comprising 3 Antennas, Smart Metering Equipment Enclosure & 4 Concrete Bollards

Location: Land At Deeping St Nicholas Sewage Treatment Works New Road
Deeping St Nicholas

Terminal Date: 26th June 2026

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01 Spatial Strategy
02 Development Management
03 Design of New Development
04 Approach to Flood Risk
28 The Natural Environment

National Guidance**National Planning Policy Framework December 2024**

Section 15 - Conserving and enhancing the natural environment

Schedule 2, Part 16, Class A of the Town & Country General Permitted Development Order 2015 (as amended)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3

CASE OFFICER ASSESSMENT

Proposal

This is an application to determine if prior approval is required for a proposed 12m high micropole, with an antenna centre line of 13.45m high, as well as a Arqiva smart metering equipment enclosure to be installed on the tower base and 4 Arqiva Anglian water concrete bollards located at Land at Deeping St Nicholas Sewage Treatment Works in Deeping St Nicholas. This application is submitted under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the developer states that it is in accordance with the Electronic Communications Code (as amended).

Site Description

The application site can be found off New Road at the Deeping St Nicholas Sewage Treatment Works. The site is located within a rural location with fields to the north, east, south and west.

History

No relevant planning history.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Welland & Deepings Internal Drainage Board

Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make with regard to this application.

Anglian Water

Anglian Water have reviewed the proposals and have no comment to make.

BNG Ecologist

We do not believe this proposal would significantly impact flightpaths of migrating birds or foraging bats and therefore we have no objections for this application.

Historic Environment

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

LCC Highway and Lead Local Flood Authority

Recommendation for No objection subject to: No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object

to this planning application.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Comments: As Highways and Lead Local Flood Authority we assess all Prior Approval applications as to whether or not Prior Approval is required for Transport/Highways impacts. This proposal the access meets the guidelines set out in Manual for Streets, adequate parking provision is proposed within the limits of the site. Therefore, it is considered that the proposals would not result in an unacceptable impact of highway safety.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Planning Considerations

This application is to seek whether prior approval for the erection of a 12m high micropole, with an antenna centre line of 13.45m high and associated infrastructure is required at Deeping St Nicholas Sewage Treatment Works. Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is relevant.

Part 16 Class A - electronic communications code operators

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.

Limitations and Parameters

Parts A.1-A.10 (inclusive) set out limitations to what is permitted by part A. The limitations include height of masts, antenna numbers and ground based equipment including their volume capacity amongst other considerations.

The applicant seeks to install a 12m high micropole, with an OMNI antenna mounted on with a height of 13.45m, a GPS antenna mounted at 12m high and a 3G OMNI antenna mounted at 4.19m, as well as an Arqiva smart metering equipment enclosure to be installed on the tower base and 4 Arqiva Anglian water concrete bollards. The application site is not located on protected land or article 2(3) land.

The proposal is considered to meet with the limitations and parameters set out under Parts A.1 - A.10 (inclusive) and therefore considered to represent permitted development.

Conditions

Part A.2 sets out conditions and paragraph 'b' is relevant to this assessment, the condition requires: The siting and appearance of a:

- (i) mast;
- (ii) electronic communications apparatus installed, altered or replaced on a mast;
- (iii) antenna or supporting apparatus;
- (iv) radio equipment housing; or
- (v) development ancillary to radio equipment housing,

which has been constructed, installed, altered or replaced in a manner which does not require prior approval under paragraph A.2(3) are such that the visual impact of the development on the surrounding area is minimised, so far as practicable;

Visual Impact of the development

With regard to the design and appearance of the proposed development, the submission was accompanied by supporting information detailing the criteria in which the applicant used to consider the proposed site and subsequently informed the proposal.

The development will be highly visible across the open countryside include views from New Road and residential dwellings on Barley Grove, Harvest Mews and Chappell Road. Notwithstanding this the dwellings located on Barley Grove, Harvest Mews and Chappell Road are located approximately in excess of 500m away, furthermore, the equipment would consist of a micro pole and would therefore not be as prominent as monopole, although it is not disputed that the installation of the proposal would cause a particular level of harm to the areas character and appearance.

It is considered that whilst there is an increased impact upon the character and appearance of the wider open countryside it is not at a level that would be unacceptable given the existing presence of street furniture close by.

In summary, the siting, scale and design of the proposed equipment is considered to cause minor harm to the character of the area, but the chosen siting is viewed as reasonable, and the visual harm caused is considered to be outweighed by the social, technological and economic benefits of improved services provided by the micro pole.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2024).

Other Matters

Officers note that Section 10 of the National Planning Policy Framework (December 2024) (NPPF), relating to 'Supporting high quality communications' states within Paragraph 122 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".

With regard to the aforementioned, the applicant has submitted a declaration of conformity in relation to the International Commission on Non-Ionizing Radiation Protection (ICNIRP) within the application as required.

As advised above, the only matters that can be considered in the determination of this application are appearance and siting. The Local Planning Authority cannot take health considerations into account when determining such mast proposals.

All proposals for telecommunications development should be submitted with an International Commission on Non-Ionising Radiation Protection (ICNIRP) Certificate. This certificate confirms that the mast meets the guidelines for public exposure. A Declaration of Conformity with ICNIRP Public Exposure Guidelines has been submitted with the application. Beyond this, the health effects in relation to the development or concerns about them, cannot be considered further by the Local Planning Authority.

While the only matters that can be considered in the determination of this application are appearance and siting, it is of note, as expressed above, that Section 10 of the NPPF does give

weight in favour of the development of communication equipment. Paragraph 118 states "Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G)".

Planning Balance

As stated by Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the only matters that may be considered as part of an application of this nature are the siting and appearance of the development.

The proposed works are not considered to have an unacceptable impact upon the character or appearance of the area. The proposal is located within an area that, whilst surrounded by nearby dwellings, also comprises street furniture, helping to naturalise the development.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

The proposal has been assessed in respect of its visual impacts upon the area and is considered acceptable and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and advice within the National Planning Policy Framework, 2024. The proposal is considered to conform to Part 16, Class A.1 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Recommendation: Prior approval is not required