

[ ] Prior Approval - Telecommunications

S/090/01590/20

**APPLICANT:** MBNL,

**VALID:** 11/09/2020 **AGENT:** WHP Telecoms Limited,

**PROPOSAL:** Determination of whether or not prior approval is required for the siting and appearance of the proposed pole to the maximum height of 25m to be installed on a new pad foundation and associated works.

**LOCATION:** BUTLINS FUNCOAST WORLD, ROMAN BANK, INGOLDMELLS, SKEGNESS, PE25 1NJ

## **1.0 REASONS FOR COMMITTEE CONSIDERATION**

1.1 The proposal falls within the Council's scheme of delegation.

## **2.0 THE SITE AND SURROUNDINGS**

2.1 The application site is located towards the northern end of the Butlins Funcoast World resort on the eastern side of Roman Bank. It is close to the northern most service entrance which itself is close to the Skegness Road/ Roman Bank junction. The mast and equipment are set back some 25m from the public highway in a vacant area of land surrounded by hedgerow and some trees. Between the site and the main road are more tall bushes and then further west on the opposite side of Roman Bank are holiday caravans located on another part of the Butlins complex. To the north of the site is a storage area and car parking and then further north are holiday apartments on the Butlins complex. North west of the site are holiday units at the junction of Roman Bank and Skegness Road. To the east of the site are some storage buildings and then more accommodation while to the south is a car park and then a large swimming pool complex, all of which form part of the Butlins complex.

## **DESCRIPTION OF THE PROPOSAL**

3.1 The main components of this proposal are as follows;

- a) A steel 25m high mast, including 3 antenna on the head frame, is proposed to be finished in green
- b) 3 equipment cabins are proposed; one of which is 2m x 0.75m x 1.85m high, one to be 0.77m x 0.7m x 1.2m high and one to be 1.2m x 0.5m x 1.5m high all to be finished in green

**All the equipment is clustered together in area surrounded**

**by low hedgerow and close to a 9m high tree.**

**The proposed mast is required at this height because Butlins are very keen to ensure coverage across the whole of their site and to ensure the signal reaches the southern part of the site the mast has to go beyond the height of some of the tall buildings located centrally on their holiday complex. Also the mast would allow EE business development into 5G and become part of the Emergency Services Network.**

#### **4.0 CONSULTATION**

- 4.1 Set out below are the consultation responses that have been received on this application. These responses may be summarised and full copies are available for inspection separately. Some of the comments made may not constitute material planning considerations.

##### **Publicity**

- 4.2 The application has been advertised by means of a site notice displayed on a post at the front of the site and neighbours have been notified in writing.

##### **Consultees**

- 4.3 PARISH COUNCIL -n/r
- 4.4 LCC HIGHWAYS AND LEAD LOCAL FLOOD AUTHORITY - No obs but request note on decision letter
- 4.5 ENVIRONMENTAL SERVICES (Environmental Protection) - n/r
- 4.6 ENVIRONMENTAL SERVICES (Drainage) - n/r
- 4.7 ENVIRONMENTAL SERVICES (Contamination) -n/r
- 4.8 ENVIRONMENT AGENCY-Consider Prior Approval be refused due to the lack of a FRA-Reconsulted-Maintain objection due to inappropriate FRA- Further advice now received from the EA via the applicants agents as follows;

Should the applicant and the LPA decide that the equipment needs to remain operational in times of flood, then we would expect water sensitive equipment to be placed a minimum height of 1.8m above ground level). However, should the applicant and LPA decide that the equipment does not need to remain operational in times of flood, then they must accept that it will likely be damaged and need to be replaced or repaired. It is up to the applicant and the planning officer to be aware of the facts when they make their decision on the planning application.

- 4.9 EMERGENCY PLANNING OFFICER-in view of the processes in place to evacuate the site in advance of a flood it is anticipated that residents should be well managed / evacuated in advance of a predicted incident, for which the mast would be of good use. In the event of a

catastrophic breach event the mast would be of little / limited use so the likelihood of being compromised would have little impact. As such I would have no objections to this application.

## **Neighbours**

4.9 No comments received

**4.10 The Ward Councillor is aware of the application via the Weekly List.**

## **5.0 RELEVANT SITE HISTORY**

5.1 N/A

## **6.0 PLANNING POLICY**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises of the East Lindsey Local Plan (adopted 2018), including the Core Strategy and the Settlement Proposals Development Plan Document; and any made Neighbourhood Plans. The Government's National Planning Policy Framework (NPPF) is a material consideration.

### **East Lindsey Local Plan**

**SP10**  
SP28

### **National Planning Policy Framework**

## **7.0 OFFICER ASSESSMENT OF THE PROPOSAL**

### **Main Planning Issues**

7.1 The main planning issues in this case are considered to be:

- **Whether mast of this scale is appropriate in this location**
- **Flood Risk**

**7.2 Whether mast of this scale is appropriate in this location**

Policy SP10 of the local plan deals with design and states in section 2 in part that scale and height of new development should reflect the character of the area. Policy SP28 of the local plan gives similar guidance and seeks to ensure that steps have been taken to minimise the effects of new infrastructure and that alternative options have been considered.

In this context the structure is to be sited on the eastern side of Roman Bank, the main coast road, and is a site which has views filtered by vegetation, from the main road to the west. The mast is some 25m due west of the public highway and would be quite prominent when viewed from the southern approach however the impact is mitigated to some degree by trees as mentioned above and also a plethora of lampposts some 10m high in this location. From the northern approach there is a range of very tall structures with a diversity of scale and designs on the Butlins site including the large swimming pool complex which has a flume tower 28m high and the tensile roof entertainment building which is 39m tall at the highest point so the degree of prominence with that backdrop is less when viewed from that direction. Given the plethora of lampposts and other relatively tall structures in the area the prominence of this mast is reduced as confirmed in the photomontages submitted with the application.

In accordance with paragraph 115 (c) of the Framework the applicants have explored the possibility of erecting antenna on existing buildings or masts but given the height requirements in this case there are no suitable buildings or sites available so the site location it is considered has been justified .

On balance although this new mast will be higher than most of the existing buildings on the site and in the immediate area, it is considered its visual impact is not significantly harmful to the local area due to other tall structures in the area and not harmful to the wider area given there are rollercoasters and other rides at Fantasy Island to the north up to 66m high. This adds to the balance in favour of this development afforded by section 10 of the Framework which is supportive of the expansion of next generation technology which this proposal would do.

### 7.3 Flood Risk

**The site is located in Flood Zone 3 within category Danger for All. Following the advice in the Technical Guide to the NPPF the proposal is considered to be Essential Infrastructure and therefore appropriate in this location subject to the Exception Test. In this case the applicants have submitted a new Flood Risk Assessment, following initial objection from the EA , which is still not to the satisfaction of the Environment Agency. The issue is with the level above ground of water sensitive equipment and the problem of inundation of that equipment in the event of a coastal flood which should ideally be set at a level of 1.8m above ground level. In this case it is set at the level of a 1 in 200 year event and taking it higher the applicants consider would not be viable.**

**However the EA have now advised that** should the applicant and LPA decide that the equipment does not need to remain operational in times of flood, then they must accept that it will likely be damaged and need to be replaced or repaired it is up to the applicant and the planning officer to be aware of the facts when they make their decision on the planning application.

**The applicant agent on this basis has advised that** "the onus would be on the Operator to rectify the problem and this is a problem that the Operator is aware of and is fully prepared to take." The developer has gone onto further advise that "in the highly unlikely event of this site flooding the mast will assist with the evacuation of the site. In today's data hungry world the mast will allow holiday makers on the camp to download information on any pending flood and arrange to vacate the site. The mast will be of significant use during this key period. Water rises slowly in the event of a flood and the residents /holiday makers will be long gone by the time the mast (potentially) is put off line".

The Council Emergency Planning Officer has therefore been consulted on this matter and advised in view of the processes in place to evacuate the site in advance of a flood it is anticipated that residents should be well managed / evacuated in advance of a predicted incident, for which the mast would be of good use. In the event of a catastrophic breach event the mast would be of little / limited use so the likelihood of being compromised would have little impact. As such I would have no objections to this application.

Given the acceptance of risk by the developer to replace damaged equipment should a flood occur and the acceptance by the Council's emergency Planning Officer that everyone should be gone from Butlins in the event of flood incident well before the mast is offline, and the fact the mast can indeed help with the evacuation process because it improves reception across the whole site, it is now considered reasonable to approve the mast with its equipment not above the 1.8m high level.

### **Other matters**

As cited in Section (b) of paragraph 115 of the Framework, a statement dated 10th September 2020 certifies that cumulative exposure will not exceed International Commission guidelines on non-ionising radiation protection, has been submitted with the application.

## **8.0 CONCLUSION**

- 8.1 The proposed mast is taller than the existing relatively tall street lamps and many other buildings and structures in the immediate area around Butlins, aside from the flume tower and the tensile roof supports on the Skyline pavilion. Nevertheless this pole is to be located in an area of diverse buildings and styles close to these other features so its impact is mitigated against. There is also a robust case made to justify a new mast in this location so it is considered on balance the proposal is reasonable and the structure is not significantly harmful or visually intrusive in the local area and therefore there is compliance with Policy SP10 of the local plan. Furthermore damage to the mast caused by flooding is accepted by the applicants, and the Councils emergency planning officer has no objections given that **everyone should be gone from Butlins in the event of flood incident well before the mast**

is taken offline and this additional mast will in any event become part of the emergency services network.

Overall there is general support for such proposals in paragraph 112 of the Framework and therefore it is considered Prior Approval is not required in this case given that the one issue raised during consultation relating to flood risk matters has now been resolved.

- 8.2 This conclusion has been arrived at having taken into account all other relevant material considerations, none of which outweigh the reasons for the officer recommendation made below.

## **10.0 OFFICER RECOMMENDATION**

### **PRIOR APPROVAL IS NOT REQUIRED**

**However the applicants attention is drawn to a letter dated 23rd September 2020 from the County Council Highways team which can be viewed on the Councils website**

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