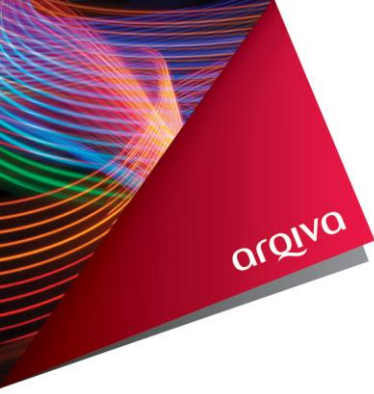




Arqiva

Farley Lane

Romsley Hill

Romsley

Halesowen B62 0LG

T +44 (0)1962 823 434

www.arqiva.com

Development Management
Neath County Borough Council
The Quays
Brunel Way
Neath SA11 2HZ

Our Ref: DF/141249/223321

18 June 2020

Dear Sirs

Neath Abbey Communications Installation, The Bank, Longford Lane, Neath Abbey SA10 7HW

On behalf of EE Ltd and Hutchison 3G UK Ltd, in conjunction with Mobile Broadband Network Limited (MBNL), we submit herewith an application for a prior approval determination for the installation of electronic communications apparatus at the above site.

The application is submitted in accordance with the requirements of Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019 and seeks a determination as to whether the Authority's approval will be required for the siting and appearance of the development.

The application comprises:

- The written description of the development, which comprises **the removal of six antennas attached to the existing 20m high mast, a 5m extension to the mast, and the installation of twelve antennas, two 0.6m diameter transmission dishes, and related equipment that supports the operation of these antennas**
-
- An O.S. site plan at scales of 1:1250 and 1:50000 provided on drawing number 141249-00-004-ML001, Rev 1, Location Plan showing the location where the apparatus will be installed
- Payment of £380 in respect of the prior approval application fee, which has been made via Planning Applications Wales
- The Developer's Notice served on the landowner
- The Developer's contact details, which are provided overleaf.

The following information is also provided to assist with your determination of the application:

- The Authority's 1APP form for telecommunications development prior approval applications
- The following drawing reference numbers providing further details of the siting, layout and design of the development:
 - 141249-00-000-MD016, Rev 16, Site Plan Existing
 - 141249-00-002-MD016, Rev 16, Elevation Existing
 - 141249-06-103-MD017, Rev 17, Site Plan Proposed
 - 141249-06-153-MD017, Rev 17, Elevation Proposed.
- A Planning Statement that includes a summary of the factors informing the siting, layout, and design of the development
- An ICNIRP Certificate
- National Policy – Delivering Ultra Fast Broadband Mobile Connectivity statement
- 5G Helping tackle climate change document
- 5G Technical Support document
- 5G Health and Safety document.

Developer's Contact Details

All correspondence and queries relating the determination of this application should be submitted to the undersigned.

However, in accordance with the requirements of The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019 any correspondence to the developers should be sent to:

For Arqiva:

Arqiva Ltd, Town Planning Team, Crawley Court, Winchester, Hampshire SO21 2QA.

Email: planning@arqiva.com

For MBNL, EE and Hutchison 3G UK Ltd:

MBNL, Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

MBNL: will.osborne@mbnl.co.uk



EE: public.affairs@ee.co.uk

Three: jane.evans@three.co.uk

Electronic Communications Code Notification

This letter and the enclosures also provides due notification, as may be required, under the relevant conditions of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003, as amended. In particular, you are given notice of the intention to install the electronic communications apparatus described in more detail in the application documentation (including the scale drawings) and to be located as shown on the application plans.

The Scope of the Prior Approval Determination

The permitted development rights granted by Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019 (the GPDO) exist to facilitate the establishment of modern communications apparatus and infrastructure such as for 5G, judged by the Welsh Government to be important to a modern economy and in attaining sustainability objectives.

The permitted development granted subject to the prior approval procedures is similar to the grant of outline planning permission, details on precise siting and appearance being reserved. This is explained at paragraph 93 of the Welsh Code of Best Practice on Mobile Phone Network Deployment. Paragraph 38 of TAN 19 - *Telecommunications* is also accordingly clear that permitted development rights should not generally be withdrawn.

As a consequence, the scope of determination does not extend to whether the site selected is needed, as the development is acceptable in principle due to the rights conveyed by the GPDO. Likewise, the extent of control on siting is limited to the precise siting on a site and not the general location.

As the principle of development at the application site is permitted by the GPDO, the submitted Planning Statement focuses on the statutory criteria of detailed siting and appearance. In so doing, this is considered against current town and country planning guidance, including the development plan, in so far as they are material considerations and with reference to the operational requirements of the operator and the attempts to accommodate the particular requirement.

Paragraph 82 of the Welsh Code of Best Practice on Mobile Phone Network Development clearly requires the provision of full supporting information and we trust all the supporting material submitted in fulfilment of this is of assistance. However, if you do require any clarification or further information such as that specified at paragraphs 89 or 90 of the Code, please let us know.

Whilst as a matter of best practice extensive supporting material is submitted, the lawful scope of determination remains confined to the detailed siting and appearance of the apparatus proposed.

The permitted development rights exist to facilitate the establishment of modern communications, judged by successive governments to be important to a modern economy and in attaining sustainability objectives.

Finally, your attention is drawn to the 56 day statutory time period associated with an application of this nature upon which detailed advice is given at paragraph 93 onwards of the Code of Best Practice and in Annex 1 of TAN19. We would, of course, be willing to meet with you, or assist with any visits to the site and the surrounding area, if this is beneficial to the determination of the application.

Yours faithfully



Darren Fradgley BA(Hons) DipTP MRTPI

Town Planning Manager

Telecoms – Estates & Infrastructure

E: darren.fradgley@argiva.com M: 07583 593049