

The application is for a determination as to whether prior approval is required for the siting and appearance of a replacement of the existing 17.5m high Vodafone column with a new 17.5m monopole accommodating 3 antennae on the pavement at the corner of Diglake Close/Pit Lane, Talke Pits to be used by Vodafone and O2. Two additional equipment cabinets are also proposed (in addition to the two existing cabinets).

The site lies within the urban area of Kidsgrove as defined on the Local Development Framework Proposals Map.

**Unless a decision on this application is communicated to the developer by the 22<sup>nd</sup> May 2014 the development will be able to proceed as proposed.**

**RECOMMENDATION**

**(a) Prior approval is not required, however**

**(b) Should the decision on (a) be that prior approval is required the recommendation is to PERMIT.**

**Reason for Recommendation**

It is considered that the development in this instance does not require the benefit of prior as it is considered that its appearance and siting would not have a significant impact upon the industrial area in which it would be located. However should it be determined that the proposal does require the benefit of prior approval, it is considered that prior approval should be granted for the same reasons. The proposal would also avoid the need for an additional structure of a similar size and design within the area to meet the network requirements and would support the expansion of the communications network in this area. The proposal would therefore meet the guidance and requirements of the NPPF and it would also comply with policy T19 of the Newcastle under Lyme Local Plan as well as policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS).

**Policies and Proposals in the approved development plan relevant to this decision:-**

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)

CSP1: Design Quality

Newcastle under Lyme Local Plan 2011

T19: Telecommunications Development – General Concerns

T20: Telecommunications Development – Required Information

**Other Material Considerations include:**

National Planning Policy

National Planning Policy Framework (March 2012)

National Planning Policy Guidance (2014)

Relevant Planning History

07/01034/FUL Alterations to existing base station and additional ground based equipment **Permit**

05/00295/FUL Installation of a 17.5m high streetworks telecommunications monopole, 3 tri-band antennae and ground based equipment cabinets **Permit**

### Views of Consultees

**Kidsgrove Town Council** comment that residents are objecting that there are already numerous other masts in Talke Pits and do not wish to see any more, and that mast sharing has not been encouraged in this instance.

### Representations

No letters of representation have been received.

### Applicant/agent's submission

The agent has submitted a supporting statement in relation to the proposal. A summary of the key points are as follows;

- The overall height of 17.5 metres has been kept to a technical minimum to maintain existing coverage and capacity. The proposed height would also cater for the future 4G coverage roll out within the area. It would also result in existing masts no longer being required and decommissioned in the future once this is technically feasible.
- The dimensions of the structure is the thinnest available to support the necessary equipment. The pole would be painted grey which will help it to assimilate within the existing street scene. The choice of a slim streetworks monopole with shrouded antennas is considered to be appropriate as it would minimise the visual impact of the development within the street scene.
- The proposed equipment cabinet is less than 2.3 cubic metres each and will be located alongside the new monopole. It should be recognised that, on its own merits, do not normally require a formal determination and are often permitted development. They have a similar appearance to existing cabinets found in a street scene.
- The applicant has detailed that alternative sites have not been considered in this instance and are not generally required for upgrades/alterations to existing sites. Technological advances having enabled a mast share structure to be progressed that previously was not possible. Mast shares have in the past involved tall heights due to the separation needed between each operators set of antenna or large exposed antenna 'head frames'.

The key points of The Code of Best Practice on Mobile Network Development (July 2013) has been summarised along with the key points of the NPPF, in particular section 5.

The full document is available for full inspection at the Guildhall and on the Council's website [www.newcastle-staffs.gov.uk/planning/MastPitLaneDiglakeClose](http://www.newcastle-staffs.gov.uk/planning/MastPitLaneDiglakeClose)

The applicant has declared that the proposal conforms to International Commission on Non-Ionising Radiation Protection (ICNIRP) Public Exposure Guidelines.

### **KEY ISSUES**

The application is for a determination as to whether prior approval is required for the siting and appearance of a 17.5 metres dual user monopole to replace an existing 17.5 metres structure and the installation of two additional ground based radio equipment cabinets.

The recently published National Planning Policy Framework (NPPF) at paragraph 42 details that

*"Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services."*

At paragraph 43 it goes on to state that LPAs should support the expansion of electronic communications networks, including telecommunications and high speed broadband.

As such there is national policy support in principle for telecommunications development and this must be taken into consideration when reaching an initial decision on whether prior approval is required, and if so into the consideration as to whether prior approval should be granted.

### **Is prior approval required?**

Prior approval is only required where local planning authorities judge that a specific proposal is likely to have a *significant* impact on its surroundings.

The proposal would not have a materially greater impact upon the surrounding industrial area, due to it being a replacement mast no higher than the existing mast and of very similar appearance, with modest scaled ancillary equipment housing. Therefore in this case it is considered that the development would not have a significant impact on its surroundings and as such does not require the benefit of prior approval.

However, acknowledging that the decision of the Planning Committee may be that prior approval is required, this report will also address whether prior approval should be given.

### **Should prior approval be granted?**

Policy T19 of the Local Plan supports proposals for telecommunications development that do not unacceptably harm the visual quality and character of sensitive areas and locations such as the countryside and do not adversely affect the amenity of nearby properties. Such development is also supported provided that there are no other alternative suitable sites available.

The main issue for consideration in the determination as to whether prior approval should be granted is the design of the proposals and the impact on the visual amenity of the area.

The existing structure is located on the existing wide pavement at the junction of Pit Lane and Diglake Close next to a green palisade fence. The wider area is industrial in nature containing other street furniture.

As stated above the replacement mast would be no higher than the existing mast and of a very similar appearance, and the two proposed additional equipment cabinets are of a modest scale (smaller than the two existing cabinets to be retained) painted in a grey colour to match the mast which would blend with the surroundings. The replacement structure would enable two operators to 'mast share' and avoid the need to find a location for an additional structure of a similar height and design. The proposal would also support the expansion of the two networks within this populated area, which is a key principle of the NPPF. The applicant has also detailed that the structure would provide future 4G network coverage and result in other structures likely to be decommissioned due to this replacement structure providing the necessary future network benefits.

The proposal is not considered to result in a significant and harmful impact to the visual amenity of the area and any harm would be outweighed by the benefits that arise from the proposed mast sharing and improved network that the proposal would achieve. The proposal is therefore considered to comply with local and national telecommunications policies and that prior approval should be granted

### **Background Papers**

Planning File referred to  
Planning Documents referred to

### **Date report prepared**

24<sup>th</sup> April 2014