

The application is for a determination as to whether prior approval is required for the siting and appearance of a replacement 15 metre high monopole accommodating 3 antennae on the highway verge on The Square off Pilkington Avenue, to be used by Vodafone and O2 located. Two additional equipment cabinets are also proposed in addition to the existing cabinet.

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

Unless a decision on this application is communicated to the developer by the 18th September 2014 the development will be able to proceed as proposed.

RECOMMENDATION

- (a) Prior approval is required, and**
- (b) Should the decision on (a) be agreed then the recommendation is to PERMIT.**

Reason for Recommendation

It is considered that the development in this instance requires the benefit of prior approval and in assessing its siting and design it is considered that the replacement structure and associated equipment cabinets would not harm the visual amenity of the area due to its acceptable height, design and location within the street scene that would have the benefit of some tree screening. 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(NLP)

T19: Telecommunications Development – General Concerns
T20: Telecommunications Development – Required Information

Other Material Considerations include:

National Planning Policy Framework (March 2012)
National Planning Practice Guidance (March 2014)

Relevant Planning History

14/00243/TDET Replacement of the existing 11.8 metre column for a 15 meter dual user monopole and the installation of 2 additional radio equipment cabinets Permit

10/00482/TDET Installation of an 11.8m high telecommunications street pole accommodating 6no. 3G antennas, radio equipment cabinet and 1no. electrical meter pillar to be used by O2 and Vodafone Permit

99/00412/TDET Determination on whether telecommunications apparatus requires prior approval
Permit

01/00496/TDET1 Prior approval required for telecommunications apparatus **Refuse**

Representations

No letters of representation have been received.

Applicant/agent's submission

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

- It is of note that prior approval was recently granted for a 15 metre high street pole at this location. However, following on from this decision the applicant undertook further investigations and it has been discovered that there are underground services located within the previously proposed position for the replacement pole preventing the operator from implementing the scheme as approved.
- The overall height of 15 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 line 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 cabinets are less than 2.3 cubic metres each and will be located alongside the new monopole. It should be recognised that these, on their 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 has 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/1400566TDET

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 a resubmission following approval for a replacement 15 metres dual user monopole and two additional ground based radio equipment cabinets granted in May 2014. The location of the approved scheme could not be implemented due to underground services within the verge preventing it from being constructed. A new location is therefore proposed and the application is again for a determination as to whether prior approval is required for the siting and appearance for the new location.

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 the 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 is 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 application is for the replacement of an existing telecommunications monopole located on the highways verge in a suburban residential area of Newcastle. The replacement monopole would have a greater height than the existing structure and would now be located further away from the existing structure. It would result in two operators sharing the same base station and two additional ground based equipment cabinets still being proposed within the grass verge.

The immediate area also has an existing street works monopole operated by EE (previously Orange PCS).

Whilst a structure has been granted previously the proposed location moves the monopole further away from a tree and due to the suburban residential land use predominant in the area, the increase in height, the addition of further equipment cabinets and other telecommunications structures being within close proximity it is considered that that prior approval is once again required for the siting and design of the new proposal.

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.

As discussed the replacement structure and two equipment cabinets has received approval recently. However, due to underground services within the verge the location of the replacement structure has moved approximately 7 metres to the north-east with the two cabinets remaining in a similar location.

The existing structure is located on the highway verge on ‘The Square’ which has a character similar to that of a quiet village green with the key feature being a central area of public open space with a number of trees on it. It is located adjacent to an established tree that provides a high level of screening, particularly from the south west. Further screening is provided from views from the east by the canopies of trees on the public open space.

The existing structure is considered to be of a modest height that assimilates well within the street scene due to its slim line design and position.

The proposal would result in an additional height of 3.2 metres (overall height of 15m metres to the top) with a thicker monopole being used than the existing. 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 amended location moves the structure away from the immediate tree and so loses the benefit of a certain level of screening. Therefore the proposed development would be more visible within the wider street scene. However, the design is considered the optimum solution that would have the least amount of impact on the visual amenity of the area due it being a mast share and it having an unfussy slim design.

The proposed additional ground based equipment cabinets would also be sited on the grass verge and whilst they result in additional street furniture they would not result in a cluttered environment on this open grass verge. The green colour scheme proposed is similar in nature to those seen developed by the highway authority and telephone engineers which are generally seen as a traditional part of the streetscene.

The proposal, whilst it is higher than the existing and involves additional equipment cabinets, 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

11th August 2014