

The application is for a determination as to whether prior approval is required for the siting and appearance of a replacement 17.5m monopole with a 17.5m monopole with associated antennae. The upgrade will facilitate the use of the site by O2 and Vodafone.

The site lies within the rural area, the green belt as indicated on the Local Development Framework Proposals Map.

Unless a decision on this application is communicated to the developer by the 25 December, 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 that prior approval is GRANTED.

Reason for Recommendation

It is considered that the development in this instance does not require the benefit of prior approval. However, anticipating that the decision of Committee may be different and in assessing its siting and design it is considered that the replacement structure would not harm the visual amenity of the area due to its acceptable height, design and location within the street scene. 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 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)

Policy CSP1: Design Quality

Newcastle under Lyme Local Plan 2011

Policy T19: Telecommunications Development – General Concerns
Policy T20: Telecommunications Development – Required Information
Policy S3: Development in the Green Belt
Policy N17: Landscape character – general considerations

Other Material Considerations include:

National Planning Policy

National Planning Policy Framework (March 2012)

National Planning Policy Guidance (2014)

Relevant Planning History

04/00018/FUL Installation of a 17.5m telecommunications pole, equipment cabinets and development ancillary thereto including provision of temporary construction of vehicular access and permanent pedestrian access from A53
Approved 17/2/2004

Representations

None received. Public consultation expires on the 1 January 2015; therefore any representations that are received will be reported to Planning Committee via a supplementary report.

Views of consultees

The **Environmental Health Division** has no objections to the proposal as a declaration form for the conformity with ICNIRP has been submitted with the application.

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 existing 17.5m monopole would be removed and placed with an upgraded pole that would also measure 17.5m in height.
- The existing base infrastructure and equipment cabinet will also be retained, however would include upgraded equipment.
- The upgrade will enable the site to be utilised by O2 and Vodafone site sharing network and thus this facility adheres to the site sharing policies of the Local Planning Authority and the National Planning Policy Framework.
- The site is located within the open countryside and within the Green Belt
- The mast benefits from the backdrop of 10m high mature trees that screen the pole.
- The height of the pole would be the same, and is considered to be the least visually obtrusive option.

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

The full document is available for full inspection at the Guildhall and on the Council's website at www.newcastle-staffs.gov.uk/planning/1400927TDET

KEY ISSUES

The application is for a determination as to whether prior approval is required for the siting and appearance of a 17.5 metre Jupiter pole to replace the existing monopole on site.

The 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 also in 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 application is for the replacement of an existing telecommunications monopole located in the rural area at Newcastle Golf Course, set approximately 50m from the closest residential properties.

The existing pole can be viewed from Whitmore Road, and as such the replacement pole would also be visible from the public highway. The visual appearance of the structures would be very similar, so it is considered that there would be no greater visual impact upon the character of the area, and streetscene. As such, it is considered that in this instance prior approval is not required for the design and siting of the proposal.

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 replacement mast would be no higher than the existing, and of a similar width. The visual appearance of the mast is considered to be no greater than the existing arrangement on site, and as such would not adversely affect the visual amenity of the surrounding area.

The design is considered the optimum solution that would have the least amount of impact on the visual amenity of the area, it having a simple, slim design.

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

12th December 2014