

The proposal is for the installation of a 20m phase 8 monopole, with a wraparound cabinet, along with 2no. freestanding cabinets at the base and ancillary works, within the highway verge on Pepper Street, Silverdale.

The application 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 2nd September 2021 the development will be able to proceed as proposed.

RECOMMENDATIONS

(a) That prior approval is required, and

(b) That such prior approval is GRANTED

Reason for Recommendation

Given the amount of equipment proposed and the height of the structure, which would be clearly visible within the street scene, prior approval is required. Whilst the proposed phase monopole would be 20 metres in height, it would benefit from a back drop of mature tree coverage and it is considered that it would not have a significant adverse impact on the visual amenity of the area. In the absence of any visual harm and also taking into account the weight given to proposals related to the expansion of the telecommunications network, prior approval should be granted.

KEY ISSUES

The application is for a determination as to whether prior approval is required for the installation of a 20m phase 8 monopole, with a wraparound cabinet, along with 2no. freestanding cabinets at the base and ancillary works, within the highway verge on Pepper Street, Silverdale.. The purpose of this site is to provide improved coverage and capacity, most notably in relation to 5G services.

The application site lies within the Urban Area of Newcastle as defined on the Local Development Framework Proposals Map.

The Council must initially decide whether prior approval is or is not required for the siting and appearance of the development and if prior approval is required go on to consider whether it should be granted.

The National Planning Policy Framework identifies at paragraph 118 that local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

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 comprises a new mast, with a height of 20 metres and a substantial amount of new ground based equipment within the highway verge, which would be clearly visible within the street scene. Therefore, it is considered that prior approval is required.

Should prior approval be granted?

Paragraph 114 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Paragraph 115 states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Saved 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 design of the monopole has been carefully considered. It is a simple, functional slim-line monopole. The lower section is wider than the upper section in order to safely support the monopole.

The proposed site location has been influenced by the numerous vertical elements of street furniture distributed around the vicinity of the site, including street lighting columns. There are existing trees and vegetation located in close proximity to the south of the site that would provide a degree of natural backdrop against which the proposal would be viewed against. This ensures that the proposed development would not be viewed as being visually incongruous within the streetscape setting to any significant degree.

The size and design has been chosen in order to minimise the visual impact of the proposal. The height of the pole has been kept down to the absolute minimum capable of providing the required coverage.

It is accepted that the height of the proposed installation is taller than other pieces of surrounding linear structures, but this in itself is not a valid reason to conclude that it is not appropriate at a specific location. Indeed, Inspectors at appeal have noted that by their very nature to be effective masts are required to be taller than surrounding structures.

The proposed equipment cabinets and meter cabinet do not require planning permission, as they can be installed under the operators permitted development rights. The operator's equipment cabinets are similar to those of other statutory undertakers which are common place in urban areas including BT Openreach. Their limited height and scale will ensure that these cabinets will not be detrimental to the visual amenity of the area.

In line with the requirements of NPPF, there are no existing telecommunications installations for the operator to share, that would provide the necessary coverage to the target coverage area, and the applicant sets out that due to the nature of 5G and the network services it provides, means the equipment and antennas required are quite different to the previous, and existing, service requirements. In particular, there is a separation required from other items of associated equipment and as such it cannot utilise some existing structures.

In conclusion, it is considered that the siting and design of the proposed monopole and associated equipment is acceptable and that the proposal would meet the guidance and requirements of the NPPF.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the

Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal and the matters that can be addressed, it is considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

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

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

Policy CSP1: Design Quality

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy T19: Telecommunications Development – General Concerns

Policy T20: Telecommunications Development – Required Information

Other Material Considerations include:

National Planning Policy

[National Planning Policy Framework](#) (2021)

[Planning Practice Guidance](#) (2014 as updated)

Supplementary Planning Guidance/Documents

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document](#) (2010)

Relevant Planning History

None Relevant.

Views of Consultees

Silverdale Parish Council have advised that they will provide comments on the application on the 13th August 2021 following the next Parish Council Meeting. Any comments will be reported when they are received.

Comments were invited from **Keele Parish Council**, the **Highways Authority** and the **Environmental Health Division** and in the absence of any comments from them by the due date it must be assumed that they have no observations to make upon the application.

Representations

None received.

Applicant/agent's submission

The applicant has submitted a Site Specific Supplementary Information Supporting Statement and has declared that the proposal conforms to International Commission on Non-Ionising Radiation Protection (ICNIRP) Public Exposure Guidelines.

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00701/TDET>

Background Papers

Planning File referred to

Planning Documents referred to

Date report prepared

05 August 2021