

The proposal is for the installation of a 20m high monopole with 2 no. antennas, 2 no. dishes and 3 no. ground-based equipment cabinets at Kidsgrove Railway Station.

The application site lies within the Urban Area of Kidsgrove as defined on the Local Development Framework Proposals Map. The site is located adjacent to the Trent and Mersey Canal (Hardingswood) Conservation Area.

Unless a decision on this application is communicated to the developer by 16 December 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 which would be clearly visible within the street scene, prior approval is required. It is not considered that the proposed pole and associated equipment would have a significant adverse impact on the visual amenity of the area or the character and appearance of the adjacent Conservation 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 high monopole with 2 no. antennas, 2 no. dishes and 3 no. ground-based equipment cabinets.

The application site lies within the Urban Area of Newcastle as defined on the Local Development Framework Proposals Map. The site is located adjacent to the Trent and Mersey Canal (Hardingswood) Conservation Area.

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.

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 and equipment that would be clearly visible within the street scene. It is considered that prior approval is therefore 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 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.

As stated above, the site is located adjacent to the Trent and Mersey Canal (Hardingswood) Conservation Area. Local and national planning policies seek to protect and enhance the character and appearance of Conservation Areas and development that is contrary to those aims will be resisted. There is a statutory duty upon the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas in the exercise of planning functions.

The proposed pole and equipment would be sited adjacent to the eastern boundary of the Station car park. There are existing trees along the boundary that would provide some screening and within the area there is equipment and infrastructure associated with the railway including lighting, CCTV poles and a substantial footbridge. There is also an existing Vodafone mast in the north-western corner of the Station. Given the context of the area, it is not considered that the proposal would appear as an incongruous feature within the existing setting.

Although the site is adjacent to a Conservation Area, given the existing development at the Station, it is not considered that the proposal would have any adverse impact on its character and appearance. The Council's Conservation Officer has no objections to the proposal.

There are apartments approximately 50m to the east of the application site but given that the development would be viewed against the backdrop of the railway infrastructure it is not considered that there would be any significant adverse impact.

In line with the requirements of NPPF, there are no suitable existing telecommunications installations for the operator to share. The existing Vodafone mast would need to be replaced in order to accommodate the proposed equipment and the proposed antenna would need to be a minimum of 5m apart from one another for technical reasons. As a result, any replacement mast would have to be a lattice tower with a minimum height of 27.5m. This option was discounted as any such mast would have a much greater impact than the cumulative impact of the existing and proposed masts.

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 CSP1: Design Quality
Policy CSP2: Historic Environment

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

Policy T19: Telecommunications Development – General Concerns
Policy T20: Telecommunications Development – Required Information
Policy B14: Development in or Adjoining the Boundary of Conservation Areas

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

[Views of Consultees](#)

The **Conservation Officer** has no observations on this application.

Network Rail does not object in principle but states that applicants must adhere to Network Rail processes before installing new or upgrading an existing radio transmitter.

No comments have been received from **Kidsgrove Town Council**, the **Environmental Health Division** or the **Canal and River Trust** and given that the period for comment has ended, it must be assumed that they have no observations to make.

[Representations](#)

None received.

[Applicant/agent's submission](#)

The applicant has submitted a Design and Access 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/21/01006/TDET>

[Background Papers](#)

Planning File referred to
Planning Documents referred to

Date report prepared

23rd November 2021