

The proposal is for the installation of a 20m high monopole and associated ancillary works at land within the existing BT Telephone Exchange on Fairgreen Road.

The application site lies within the Village Envelope of Baldwin's Gate, as defined on the Local Development Framework Proposals Map.

Unless a decision on this application is communicated to the developer by 19 May 2022 the development will be able to proceed as proposed.

RECOMMENDATIONS

Following the expiry of the consultation period, the Head of Planning be given the delegated authority to confirm:

(a) That prior approval is required, and

(b) That such prior approval is refused for the following reason:

The siting, scale and external appearance of the proposal development would be harmful to the visual appearance of the area and contrary to Policy CSP1 of the Core Spatial Strategy 2006-2026, Policy T19 of the Newcastle-under-Lyme Local Plan 2011, Policy DC2 of the Chapel and Hill Chorlton, Maer and Aston and Whitmore Neighbourhood Plan and the aims and objectives of the National Planning Policy Framework 2021.

Reason for Recommendation

The proposed mast at 20m tall would be incongruous in its residential setting. Whilst it would be sited within the grounds of a telephone exchange, and adjacent to some mature trees, there is no comparable infrastructure of this scale within the immediate area and the existing trees would offer no screening from views within Fairgreen Road. It is considered that the mast would have a dominant and harmful appearance in the locality which would also impact upon the wider street scene. Whilst the benefits of the proposal are recognised, the proposal is considered to conflict with the requirements of Policy CSP1 of the Core Spatial Strategy 2006-2026, Policy T19 of the Newcastle-under-Lyme Local Plan 2011, Policy DC2 of the Chapel and Hill Chorlton, Maer and Aston and Whitmore Neighbourhood Plan and the aims and objectives of the National Planning Policy Framework 2021.

KEY ISSUES

The proposal is for the installation of a new 20m high monopole with 3 ground based cabinets. The development would be sited in the northern corner of the existing BT Telephone Exchange site which is accessed off Fairgreen Road.

The application site lies within the village envelope of Baldwin's Gate, 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.

Paragraph 118 of the National Planning Policy Framework (NPPF) states 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 and equipment that would be clearly visible within the street scene of a residential area. 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.

The proposal comprises a 20m high monopole and 3 ground based cabinets in grey steel. The development would be sited in the northern corner of the BT Telephone Exchange which is accessed from Fairgreen Road. To the north of the site is an expanse of green open space which also contains a band of mature trees. This area extends up to the boundary with the A53 and so forms an attractive area of open land at this prominent highway junction.

Development within Fairgreen Road and immediately opposite the site along the A53 is predominantly residential in nature. Properties are comprised of mainly two storey houses, with some bungalows and one and a half storey properties also present.

Views when approaching the site from the east along the A53 would largely be screened by the belt of dense tree cover adjacent to the site. However, when entering Fairgreen Road the proposed development would appear as a stark and incongruous addition within this residential area. The 20m height of the monopole would far exceed the heights of the nearby properties and would also sit approximately 6m taller than the highest levels of the tree canopies present next to the telephone exchange.

It is accepted that the applicant has attempted to find the most functional and suitable siting for the structure, which is driven by other technical requirements but whilst the works would be sited within the grounds of the Telephone Exchange, there is no comparable infrastructure in place within the site that would offset the stark appearance of the structure.

Within their supporting statement the applicant has identified that the development is required to support on-board connectivity for users of the Avanti West Coast services which operate on the railway to the north east of the site. They also note that other benefits include improvements to connectivity within the local area and for emergency services.

The public benefits of the scheme are not questioned, however the siting and scale of the development within this predominantly residential area is considered to be harmful to the surrounding

street scene and visual amenities of the area. As a result the works would be directly in conflict with Policy CSP1 of the Core Spatial Strategy 2006-2026, Policy T19 of the Newcastle-under-Lyme Local Plan 2011, Policy DC2 of the CHCMWA Neighbouring Plan as well as the aims and objectives of the National Planning Policy Framework.

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

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

Policy T19: Telecommunications Development – General Concerns

Policy T20: Telecommunications Development – Required Information

[Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan](#) Made October 2021

Policy DC2: Sustainable Design

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 **Environmental Health Division** has no objections subject to a condition that restricts construction hours.

Comments are awaited from **Whitmore Parish Council**, and the **Highway Authority**.

Representations

None received at the time of producing this report.

Applicant/agent's submission

The applicant has submitted a 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:

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00262/TDET>

Background Papers

Planning File referred to

Planning Documents referred to

Date report prepared

12th April 2022