

Application No: 21/02151/FUL Author: Rebecca Andison
Date valid: 6 October 2021 ☎: 0191 643 6321
Target: 1 December 2021 Ward: Chirton
decision date:

Application type: full planning application

Location: 02 17774 Telecommunication Mast, Front Street, Chirton, North Shields, Tyne And Wear

Proposal: Removal of the existing 15m monopole and 1no. equipment cabinet and the installation of a replacement 20m monopole supporting 6 no. antennas, 2no. replacement equipment cabinets, and ancillary development thereto including 3no. Ericsson Radio Systems (ERSs) and 1 no. GPS module

Applicant: Cornerstone, C/o Agent

Agent: Pegasus Planning Group Ltd, FAO Mr Archie Roberts First Floor South Wing Equinox North Great Park Road Almondsbury Bristol BS32 4QL

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 Main Issues

1.1 The main issue for Members to consider in this case is whether the proposal is acceptable in terms of the impact of the visual amenity of surrounding occupiers and the character of the area.

2.0 Description of the site

2.1 The application relates to an existing 15m high monopole and associated equipment cabinets located on Front Street, Chirton.

2.2 The site is located to the south of a car park beyond which are residential properties on Simpson Street. On the opposite side of Front Street is a petrol filling station.

3.0 Description of the Proposed Development

3.1 Planning permission is sought to replace the existing monopole and equipment cabinet with a 20m high monopole, 2no. equipment cabinets and associated equipment.

4.0 Relevant Planning History

4.1 Planning history for the application site:

07/03932/TELGDO - Installation of a radio based station comprising a streetworks column and 3 no. antennas no greater than 15m in height with 2 No. ground based equipment cabinets for the purpose of telecommunications – Refused 18.02.2008

The decision notice for this application was sent out a day past the deadline, resulting in the operator gaining deemed consent.

13/00703/TELGDO - Replace existing 15m high monopole with a new 15m high monopole and 2no RBS6102 equipment cabinets – Permitted 14.06.2013

4.2 Other relevant planning history:

Land adjacent to 98 Benton Lane

21/01503/TELGDO - Proposed 18.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works
Refused 03.08.2021

APP/W4515/W/21/3281647 – appeal allowed.

Land adjacent to 1 to 6 Beaumont Drive

21/01272/TELGDO - Proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works (revised plans and description submitted 24.06.21)

Refused 07.07.2021

APP/W4515/W/21/3280718 – Appeal allowed

5.0 Development Plan

North Tyneside Local Plan (2017)

6.0 Government Policy

National Planning Policy Framework (NPPF) (July 2021)

National Planning Practice Guidance (NPPG) (As amended)

The Town and Country (General Permitted Development) (England) Order 2015 (as amended)

PLANNING OFFICERS REPORT

7.0 Main Issues

7.1 The main issue for Members to consider in this case is whether the proposal is acceptable in terms of the impact of the visual amenity of surrounding occupiers and the character of the area.

7.2 The National Planning Policy Framework states that advanced, high quality communications infrastructure is essential for economic growth and social well-being. It goes on to state that planning decisions should support the expansion of electronic communication networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

7.3 Paragraph 115 of the NPPF clearly 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.

7.4 Paragraph 117 of the NPPF sets out the requirements for application for electronic communications development. Applications for electronic communications development (including for prior approval under Part 16 of the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines.

7.5 Paragraph 118 of the NPPF makes it clear 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 exposure.

7.6 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

7.7 Local Plan Policy DM7.11 states that the Council supports the development and extension of telecommunications services. Proposals for new homes or employment development will be encouraged to consider and make provision for high-speed broadband connectivity. Specific proposals for telecommunications development (including radio masts), equipment and installations will be permitted if:

- a. When proposing a new mast, evidence should demonstrate that no reasonable possibilities exist of erecting apparatus on existing buildings, masts or other structures.
- b. The siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity and respect the character or appearance of the surrounding area.
- c. When sited on a building, the apparatus and associated structures are sited and designed in order to seek to minimise impact to the external appearance of the host building.
- d. The development would not have an unacceptable adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest. When considering applications for telecommunications development, the Council will have regard to the operational requirements of telecommunications networks.
- e. There are no more satisfactory alternative sites for telecommunications available.
- f. There is a justifiable need for a new site.

g. Proposals subject to government guidelines on non-ionising radiation protection are accompanied by an International Commission on Non-Ionizing Radiation Protection certificate.

7.8 The proposed monopole is 20m high and would be located on the pavement close to the junction of Front Street and Chirton Lane. The surrounding area is predominantly residential in character and there are residential properties to the north, west, south west and east. There is also a petrol filling station and social club to the south.

7.9 There is an existing 15m high mast on the site. This projects 2.5m above the nearby lamp posts and is relatively slender with shrouded antennas. The proposed mast is 5m higher and the antennas are wider, which increases its prominence. The mast would be visible from residential properties to the north and south west and would also be seen from the south west facing windows of Collingwood Court, which lies to the east on the opposite side of Chirton Lane.

7.10 In assessing this application, it is appropriate to consider two recent appeal decisions made in respect of telecommunications masts which are set out in the Planning History section above.

7.11 In the case of application 21/01503/TELGO an 18m high mast was allowed on Benton Lane, Forest Hall. The Inspector's decision refers to the urban character of the area and the presence of existing street furniture. He states:

'Although the mast would be taller than the street lighting columns, trees, and houses in the vicinity, it would have a fairly slim and uncomplicated profile, which in the context of this wide urban road and the plethora of other street furniture, would not be overly dominant or visually obtrusive in the street scene.'

7.12 The Inspector also noted that the mast would be visible in a residential context, but he considered that it would not be dissimilar to the lamp posts and telegraph poles and would not be visually obtrusive or over dominant. With regards to the impact on views from nearby residential properties the Inspector states 'the mast would not be unacceptably overbearing or intrusive when viewed from the nearby properties'. He has regard to the separation distance, the siting of the mast in a gap between the houses and the slim profile.

7.13 The mast allowed on Beaumont Drive (21/01272/TELGDO) was only 15m in height so is not directly comparable. However, certain aspects of the appeal decision are of note. The Inspector has regard to the location of the mast in a gap between houses, its location close to existing street lights and trees and the ability to reduce its prominence by using an appropriate colour treatment. The Inspector assesses the impact of the wider shroud but does not consider that this results in the mast appearing unacceptably overbearing or intrusive in the outlook from nearby properties.

7.14 Like the approved mast on Benton Lane, the application site is an 'A' road where there is existing street furniture, including the existing mast. The mast proposed under the current application is 2m higher than the one allowed on Benton Lane, but the design and width of the antennas is similar. The mast

would be coloured grey which will help it blend in with the predominantly cloudy British skyline. It is also located adjacent to a gap in the housing adjacent to a small car park.

7.15 It is officer opinion that the proposed mast would have some additional impact to the streetscene and the visual amenity of nearby residents when compared to the existing mast. However, when taking into account the character of the area, the location of the mast and the appeal decisions set out above it is officer opinion that this impact would not be significant enough to warrant refusal of the application.

7.16 In order to fulfil its obligations as a code system operator the applicant has identified a need to provide improved coverage for the network in relation to 5G services. They have advised that the proposed 20m height is essential in order to provide the required equipment to cover the target area. They also state that the antennas cannot be shrouded but have been designed to be as tight as possible to the column to minimise their appearance. No alternative sites have been considered. The applicant states that this is because utilising an existing radio base station is preferable to installing a second base station within the immediate vicinity and that given the makeup of the area it was established that the upgrading of facilities would be the most viable solution.

7.17 An objection has been received which raises concern regarding the impact of radiation on the health of nearby occupiers. The NPPF (par. 118) states that Local planning authorities must determine applications on planning grounds only and should not set health safeguards different from the International Commission guidelines for public exposure.

7.18 A statement of conformity with ICNIRP Public Exposure Guidelines has been submitted. Members are therefore advised that the impact on health would not be grounds on which to refuse the application.

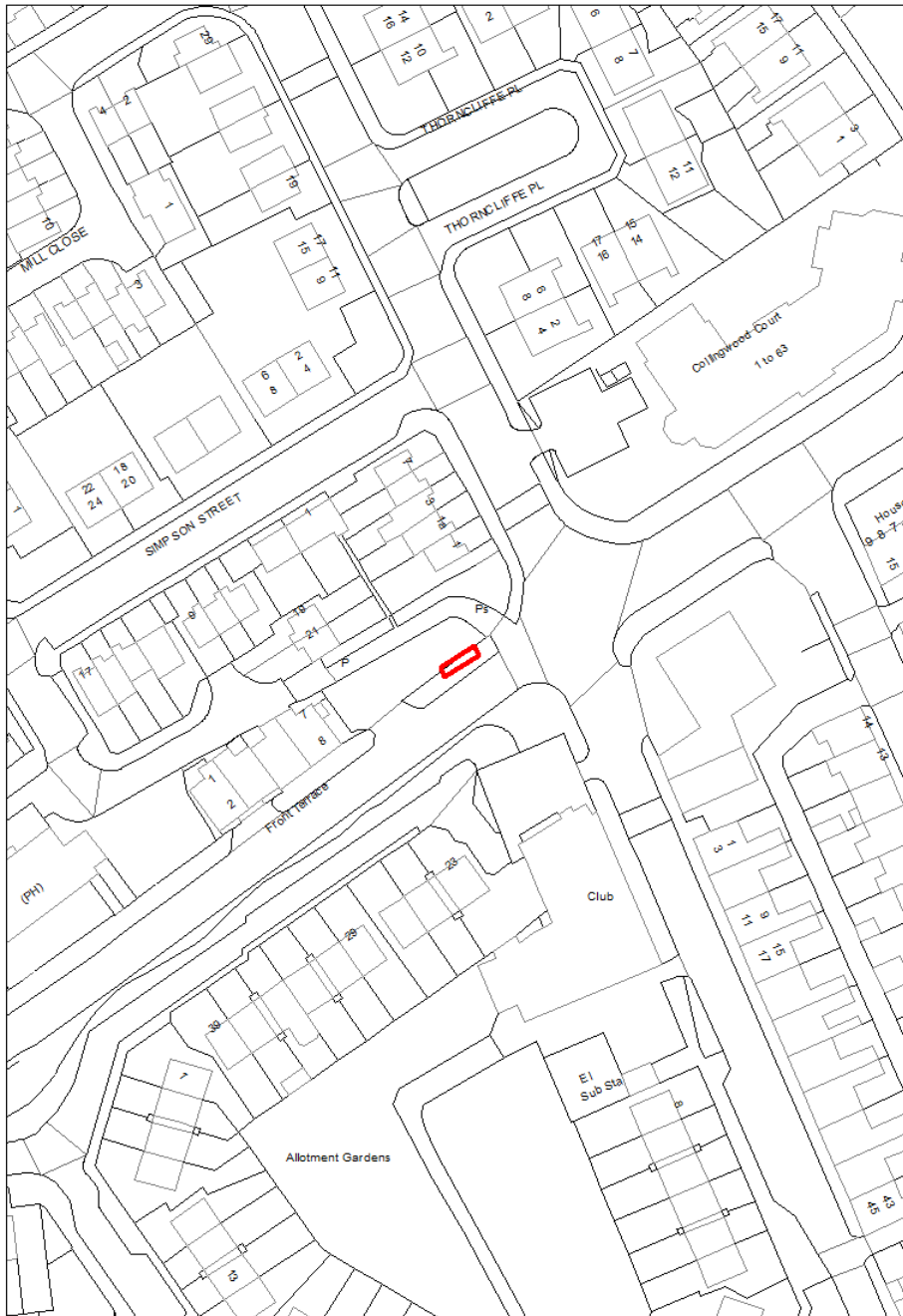
7.19 The mast and cabinets would leave a sufficient pavement width and the Highway Network Manager has confirmed that he has no objections to the proposal.

8.0 Local Financial Considerations

8.1 Local financial considerations are defined as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by the Minister of the Crown (such as New Homes Bonus payments) or sums that a relevant authority has received or will or could receive in payment of the Community Infrastructure Levy (CIL). It is not considered that the proposal results in any local financial considerations.

9.0 Conclusion

9.1 The proposal is required to provide improved network coverage for the surrounding area, and on balance for the reasons set out above, the impact on the amenity of nearby residents, the streetscene and highway safety is considered to be acceptable. The application is therefore recommended for approval.



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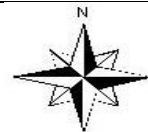
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Not to scale

Date: 02.12.2021

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**Appendix 1 – 21/02151/FUL
Item 3**

Consultations/representations

1.0 Internal Consultees

1.1 Highway Network Manager

1.2 No objections in principle to this proposal.

1.3 All works must be RASWA/Chapter 8 compliant. For any further information on temporary highway closure and RASWA applicant can contact streetworks@northtyneside.gov.uk - Tel. (0191) 643 6131

1.4 Manager of Environmental Health

1.5 No objection in principle to this application.

2.0 Representations

2.1 1no. objection has been received. The concerns raised are summarised below.

- Adverse effect on wildlife.
- Inappropriate design.
- Inappropriate materials.
- Loss of visual amenity.
- Nuisance – noise.
- Will result in visual intrusion.
- I have been trying to get the original mast removed as I believe it is too close to my house and is causing me health problems.
- The existing mast is about 10 metres from my kitchen and as well as being an eyesore, it emits a painful frequency that gives me headaches and a high pitched buzzing/ringing sound in my head.
- I imagine that the new mast, whilst being larger will also emit a stronger frequency.
- I believe there are other places the new mast could be located which won't impact people's health.