

Application No: 21/02424/TELGDO Author: Rebecca Andison
Date valid: 2 December 2021 ☎: 0191 643 6321
Target: 26 January 2022 Ward: Collingwood
decision date:

Application type: telecommunication system notification

Location: Land Adjacent To, North Tyneside General Hospital, Rake Lane, North Shields, Tyne And Wear

Proposal:

Applicant: CK Hutchison Networks (UK) Ltd, Great Brighams Mead Vastern Road Reading RG1 8DJ

Agent: WHP Telecoms Limited, Ryan Marshall 1A Station Court Station Road Guiseley Leeds LS20 8EY

RECOMMENDATION: To not exercise control over the site or appearance of the monopole and cabinet.

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 site is located on the south side of Rake Lane, North Shields, adjacent to North Tyneside General Hospital.

2.2 The site is located on the pavement adjacent to the boundary hedge of hospital car park. On the opposite side of Rake Lane is a bus stop and agricultural fields. The fields are allocated for housing within the Local Plan and planning permission has recently been granted for a development of 310no. dwellings.

3.0 Description of the Proposed Development

3.1 This application is submitted under Class A Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 (as amended). The applicant is seeking a determination as to whether prior approval is required for the siting and appearance of the following:

- Proposed 16.0m Phase 8 Monopole with a wrapround Cabinet at the base and associated ancillary work.

4.0 Relevant Planning History

4.1 There is no relevant planning history for the site.

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

Land adjacent to Rake House Farm

19/00257/FULES - Development of 310 residential dwellings (including affordable housing) and associated infrastructure and engineering works, creation of new access from A191 Rake Lane, creation of SuDS and open space. EIA submitted.
Permitted 15.12.2021

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policy

6.1 National Planning Policy Framework (NPPF) (July 2021)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 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 16m high and would be located on the pavement adjacent to the car park of North Tyneside General Hospital. The closest residential properties are located on Rosewood Close, which is located to the east of the hospital. 2no. objections have been received from residents of this street.

7.9 The mast may be visible from the north west facing windows and gardens of properties on Rosedale Close but would be located in excess of 130m from the closest dwelling. It is not therefore considered that there would be a significant impact on the visual amenity of residents.

7.10 When the housing site to the north is developed the mast will also be visible from residential properties within this development. However, it would be located approximately 40m from the closest dwellings and separated from them by a belt of landscaping and a main highway. It would also be seen against a backdrop of hospital buildings.

7.11 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.

7.12 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.'

7.13 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.

7.14 The mast allowed on Beaumont Drive (21/01272/TELGDO) was 15m in height and in allowing the appeal the Inspector has regard to the location of the mast 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.

7.15 Like the approved mast on Benton Lane, the application site is an 'A' road where there is existing street furniture. The mast proposed under the current application is 2m lower than the one allowed on Benton Lane, and 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. In addition, the mast is located adjacent to a large commercial site and is well distanced from residential properties.

7.16 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 the proposed mast would not have a significant detrimental impact on the visual amenity of existing or future residents, or the streetscene.

7.17 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 also advised that the height of the pole has been kept to the minimum capable of providing the required 5G coverage and that the cell search area is extremely constrained. 10no. alternative site were considered. These were discounted due to problems from a build perspective, the proximity to housing and other sensitive locations, and highway safety issues.

7.18 A statement of conformity with ICNIRP Public Exposure Guidelines has been submitted. The impact on health would not therefore 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 Conclusion

8.1 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.

RECOMMENDATION: To not exercise control over the site or appearance of the monopole and cabinet.

Conditions/Reasons

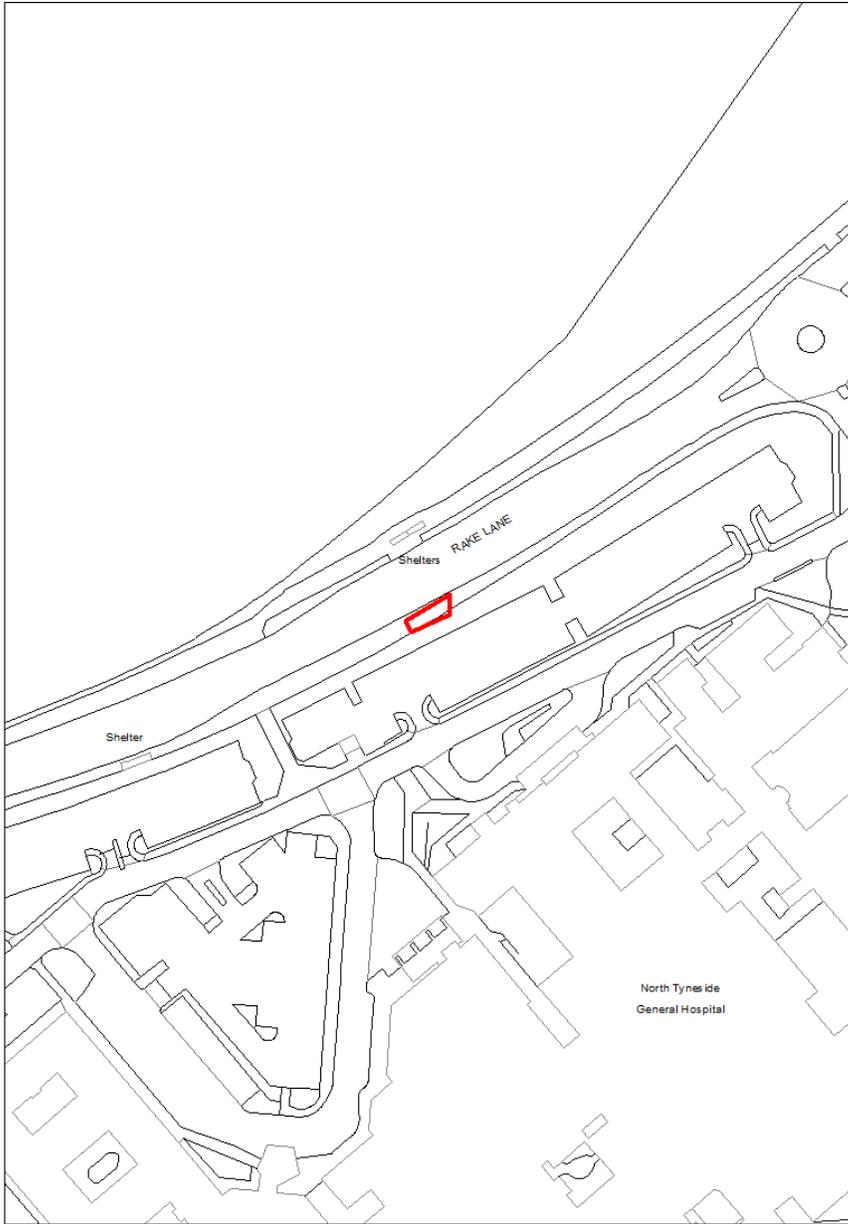
1. The development to which the permission relates shall be carried out in complete accordance with the approved plans and specifications.

- Application form
- 002 Site location plan NTY19197_M001 Rev.A
- 210 Proposed site plan NTY19197_M001 Rev.A
- 260 Proposed elevation NTY19197_M001 Rev.A
- Supplementary Information

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order).



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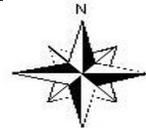
Location: Land Adjacent To, North Tyneside General Hospital, Rake Lane, North Shields

Proposal: Proposed 16.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works

Not to scale

Date: 06.01.2022

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**Appendix 1 – 21/02424/TELGDO
Item 2**

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

2.0 Manager of Environmental Health (Pollution)

2.1 No objection in principle to this application.

1.0 Representations

1.1 2no. objections have been received. The concerns raised are summarised below.

- Close proximity to residential properties.
- Overlooks a nursery, primary school, hospital and homes.
- I intend exposing the dangers online and object to this application.