DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0888/19/TFUL
Proposal: Telecommunications upgrade. Proposed phase 7 monopole c/w wraparound cabinet at base and associated works.
Location: Site adjacent 20 John Reid Road
South Shields
NE34 9EB

Site Visit Made: 19/12/2019

Relevant policies/SPDs

1 DM1 - Management of Development (A, B and G)

Description of the site and of the proposals

The application site is located to the south of the A1300 John Reid Road, close to 20 John Reid Road, and seeks planning permission for telecommunications development, consisting of the removal of an existing 11.7 metre high monopole and attached infrastructure and its replacement with a new 20 metre high monopole with attached infrastructure to the west of the existing infrastructure. The existing monopole gained planning consent through the prior approval regime in 2005 (application reference ST/3137/05/TPN).

The proposed site plan indicates that the proposed monopole and infrastructure would be located approximately 80 metres to the west of where the existing monopole and infrastructure are situated. As well as being taller than the existing monopole, the proposed monopole would be thicker in terms of its width than the existing monopole, and with a wider headframe at the top and a wraparound cabinet to the base. In addition to this, seven cabinets are proposed adjacent to the monopole.

An ICNIRP certificate and additional background and supplementary documents have been submitted with the application. The supporting information indicates that the replacement equipment and monopole is required to improve both the speed and the capacity of the network and to allow MBNL Ltd (EE Ltd and Hutchinson 3G UK Ltd) to facilitate 5G coverage in the area.

Publicity / Consultations (Expiry date 12/01/2020)

98 properties notified and six site notices posted.

1) Neighbour responses

None

2) Other Consultee responses

Traffic & Road Safety: Recommend approval.

Highways Streetworks Co-ordinator: The drawing provided seems to show the proposed crane location encroaching into the slow lane of the A1300 John Reid Road, which would necessitate a lane closure. Any incursions onto the network should be kept to a minimum as this is a strategic route and the route of the Great North Run.

Assessment

The main issues in the consideration of this application are:

- Principle of development;
- Impact on visual amenity;
- Impact on residential amenity; and
- Highway safety.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Principle of development

The development is required as part of a continued network improvement program and will provide service to customers of MBNL Ltd (EE Ltd and Hutchinson 3G UK Ltd). The site appears to have been chosen as it is a site which already accommodates telecommunications infrastructure nearby in the form of an existing monopole and infrastructure, which would be replaced by the proposed monopole and infrastructure with the intention of facilitating significantly improved connectivity within the area through the introduction of 5G coverage.

The applicant has confirmed in their supporting documentation that there are no other viable alternative options other than to upgrade the existing installation. The applicant goes on to state the proposed site is the only potential location that is set away from properties in what is a constrained cell search. Sites have to form a patchwork of coverage cells with each cell overlapping to a limited degree with the surrounding base stations to provide continuous network cover as users move from one cell to the other. Additionally, the applicant has confirmed in writing that the infrastructure is required to be 20 metres in height for the 5G technology to operate correctly, and given this height there are a lack of available rooftops within the vicinity of the site. On the basis of the supporting information provided, it is accepted that this development is reasonably required for these purposes.

The existing monopole and infrastructure gained consent through Part 24 of the Town and Country Planning (General Permitted Development) Order 1995. One of the conditions of this approval, at A.2 (2)(b) is that “any apparatus or structure provided in accordance with that permission shall be removed from the land, building or structure on which it is situated…as soon as reasonably practicable after it is no longer required for telecommunication purposes, and such land, building or structure shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.” This legislation has been superseded by the 2015 Order, however Part 16 of the 2015 Order sets out the principle of this same condition at A.2 (2)(b) which requires the removal of such infrastructure when it is no longer required for telecommunication purposes, and for the land to be restored to its previous condition.

The applicant has confirmed in their supporting documentation and in writing the proposed infrastructure would replace the existing infrastructure, and that the existing infrastructure would be removed. However it would not be possible to remove the existing infrastructure in advance of the proposed infrastructure being installed as coverage is required to be maintained whilst the build is undertaken, particularly as the Emergency Services utilise the EE network, requiring uninterrupted coverage.

Part 10 of the NPPF sets out that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G), whilst the number of masts, and the sites for such installations should be kept to a minimum. This proposal will facilitate 5G coverage and also be a replacement for existing telecommunications infrastructure within proximity of the site, in accordance with these requirements.

The ICNIRP certificate submitted as part of the application documentation confirms compliance with all relevant legislation including the guidelines for emissions from base stations. The proposed development is therefore considered to be acceptable in principle, subject to consideration of other material planning considerations, including impacts on visual amenity and highway safety.

Visual amenity

The site is located adjacent to a dual carriageway, with significant street lighting and other highway infrastructure and signage in the vicinity, including low level metal barriers immediately adjacent to the site and an existing monopole and infrastructure nearby. The proposed monopole would be of an increased height and located 80 metres to the west of the existing monopole that it would replace. The monopole would be 8.3 metres taller than the existing monopole, and measure approximately double the height of the existing street lighting columns at John Reid Road.

Whilst the pole and headframe hosting the ancillary equipment would be wider than the existing monopole, and the height of the monopole would be significantly greater than any other structure or building in the vicinity of the site, it is not considered that the monopole or the associated cabinets would have a detrimental impact on the visual appearance of the area. This is considered to be the case as a result of the site's location adjacent to a dual carriageway and strategic route in South Tyneside, and the prominence of significant amounts of street lighting columns within the vicinity of the site and wider John Reid Road. The proposal would accord with the requirements of Part 10 of the NPPF insofar as the equipment would be sympathetically designed, in keeping with the wider built environment. It is therefore considered that the development would accord with LDF Policy DM1 (A) in respect of its visual appearance.

Residential amenity

The gardens of the closest residential dwellings are situated within approximately 15 metres of the proposed monopole and infrastructure to the south-east at John Reid Road and Canberra Drive. The proposed monopole and cabinets would not directly face any habitable room windows to these closest properties. In this regard it is not considered there would be any significant implications on neighbouring residential amenity. The development is also more than 175 metres from the nearest school, which is situated to the east of the site. The development would therefore be in accordance with LDF Policy DM1 (B).

Highway safety

As the site is adjacent to an 'A' road and the scheme could theoretically have highways implications during the construction stage, the Traffic and Road Safety Team were consulted on the proposals. The Council's Highways Streetworks Co-ordinator commented noting concern regarding both installation and ongoing maintenance issues which would require one lane of highway to be closed in order for works to be undertaken safely at the site. However, it is not considered this is a planning matter and would be the responsibility of the applicant to ensure any highways requirements are met in terms of lane closures, and an informative is recommended in this regard. It is noted no formal objections were raised by the Traffic and Road Safety Team to the proposal. It is therefore considered that the application would accord with LDF Policy DM1 (G).

Fallback position

As a fallback position, it is noted a monopole measuring up to 15 metres in height (and subject to other criteria) and associated infrastructure can be considered Permitted Development subject to the applicant applying through the Prior Notification procedure.

Summary

For the reasons outlined in the above assessment, the proposed development is considered to be acceptable and in accordance with LDF Policy DM1.

Recommendation

Grant Permission with Conditions

Conditions

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The development shall be carried out in accordance with the approved plan(s) as detailed below

002 Site Location Drawing Drg No. 963584_STY007_54066_NE0351_M001 Issue. A received 28/11/2019
215 Maximum Configuration Site Plan Drg No. 963584_STY007_54066_NE0351_M001 Issue. A received 28/11/2019
265 Maximum Configuration Elevation Drg No. 963584_STY007_54066_NE0351_M001 Issue. A received 28/11/2019

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

3 The A1300 John Reid Road is a strategic route in South Tyneside. Any incursions onto the network connected with the proposal, such as construction or ongoing maintenance, should be verified with the Council's Highways section and kept to a minimum.

Case officer: Nick Graham
Signed:
Date: 04/02/2020

Authorised Signatory:
Date: