

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0721/21/TPN
Proposal: Application for prior approval under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) Order 2015 for a proposed 15m phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works.
Location: Bath Road
Hebburn
NE31 2HZ

Site Visit Made: 21/07/2021

Relevant policies/SPDs

N/A

Description of the site and of the proposals

This application seeks prior approval under Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of telecommunications equipment at Bath Road, Hebburn. The proposed equipment would be located at the junction of Bath Road and Finchale Road. The proposal seeks to enable CK Hutchison Networks (UK) Ltd (Three) deliver the latest 5G technologies and to provide additional coverage capacity for the this area of Hebburn.

Proposed works comprise of the installation of a new 15 metre high monopole, with a wrap-around equipment cabinet at the base of the column and ancillary development including three other cabinets. The proposed monopole would be of galvanised steel. The proposed equipment housing would be of steel and grey in colour. It is noted the original proposal was for a 20 metre high monopole and was reduced in height partway through the application process. Neighbouring properties were not formally notified of this amendment as the amended proposal was smaller than the original proposal. The proposed monopole would be galvanised steel in colour whilst the proposed equipment housing would be of steel and grey in colour.

Application details state that the proposal is required due to the upgrade to 5G connectivity within this area of Hebburn. There are currently acute capacity issues and will facilitate significantly improved 5G in area that have started to gain this service and newly introduce it to the areas that have not gained this level of connectivity yet. The monopole has been designed to accommodate the heavy 5G antennas and associated Radio Remote Units which are necessary to be placed at the top of the pole.

It should be noted that as part of the application, the applicant has confirmed that they have notified the Council as landowner in accordance with Condition A.3 'Prior Approval' of Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This was via correspondence sent to the Local Highway Authority given that the land is adopted highway.

The associated documentation and notification to the landowner makes reference to the monopole being 20 metres high and has not been updated to make reference to the amended reduced proposal. However it is considered this information remains valid and as the scheme is lesser than originally proposed it is not considered necessary for the associated documentation to be updated.

Publicity / Consultations (Expiry date 11/08/2021)

21 neighbours sent direct letters of notification and three site notices posted.

1) Neighbour responses

«PLANNING_APPLICATION.APPLICATION_NUMBER»

Page 1 of 5

2 Bath Road, Hebburn – From my reading of various technical and ecological papers and documents I have the following concerns :

- 1 - Monopoles give off radiation, and radio frequency waves which could over an extended period be harmful, causing body overheating and other undesirable symptoms.
- 2 - They are unsightly at a junction of 3 roads
- 3 - The proposed area already has 4 cabinets sited on areas adjacent to the proposed site.
- 4 - The position of the mast will negatively reflect on house sales close by, thus disadvantaging those who own properties.
- 5 - At a time when the environment is high on the political agenda, there is information available which suggests that such a pole will cause problems for bee populations, cause nesting bats problems, and may affect all manner of flora and fauna.

With the above in mind I would respectfully ask the council to consider siting the Monopole in a less rural position.

4 Bath Road, Hebburn – Studies have shown from various places from around the UK that these masts have caused people that live near them to suffer headaches, dizziness and also feeling sick. As this mast would be less than 80 feet from my house, I would feel this being too close. I know experts say that they can be safe so long as they are 25 feet away, however I still wouldn't like it sited there.

Also, the application says it would be partially covered by the large tree. This tree wouldn't be in full bloom all year round as it would shed its leaves in autumn. From time to time the tree would also need cut back. Further tests have also been carried out by scientists and they find numerous studies on plants, bacteria and fungi have shown adverse or enhanced growth patterns with exposure to varying levels of microwave radiation.

Also, adverse responses from radio frequency radiation that have been identified include abnormal behaviour, development abnormalities, diminished reproductive and increased mortality in birds and bees. Bees operate in about a 5 kilometre radius and typically find their way without difficulty. Studies found in 2010 that having a telephone mast near a hive worker bee returned less and less causing the queen bee to lay less eggs.

Consideration should be brought into were the masts are placed, away from where people converting wireless broadband to fibreoptic cabled systems is safer and more sustainable in both cities and rural areas.

2) Other Consultee responses

Traffic and Road Safety Team – No comments received.

Assessment

The prior approval process

Before installing certain telecommunications apparatus under permitted development rights an electronic communications code operator must apply to the local planning authority for a determination as to whether their 'prior approval' of the siting and appearance of the development is required - as set in Schedule 2 Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). A prior approval determination is therefore not the same as an application for planning permission in terms of decision making as the Council must only consider the siting and design of the development.

The Council must make its decision within 56 days of receiving the application on the acceptability of the siting and appearance, or the applicant may proceed to erect the proposal as permitted development. However, following the receipt of an amended scheme, an Extension of Time was agreed between the LPA and the developer.

Siting

The proposal would be located within a residential area at Bath Road, Hebburn. Application details state that the operator is limited in siting options as this is a highly constrained cell search area. Cellular networks are made up of several individual cell areas, each of which has a base station within it. The site at Bath Road would be part of the wider network and would provide the coverage and capacity for a number of dwellings within the vicinity of the site. Neighbours have raised concerns regarding its proposed location, considering it to be unsightly, and also noting the presence of four other cabinets within the vicinity of the site.

However, the applicant's agent has confirmed that the site selection was progressed in accordance with the applicant's license obligations, guidance within the National Planning Policy Framework (NPPF) (February 2019) and the Code of Best Practice, and is the only feasible site within the locality. No other sites within the vicinity of the site were considered due to the cell search area being extremely constrained, with this site the only viable option that minimises amenity issues within this densely packed residential area.

Appearance

The main visual impact of the proposal would be the fact that the new monopole would be relatively high at 15 metres (and so approximately seven metres taller than the tallest streetlight within the vicinity of the site, six metres taller than the closest residential properties, and three metres taller than the adjacent mature trees). 5G radio technologies operate in higher frequency bands than older technologies, and so attenuation of the radio signal is naturally higher. This means the frequencies do not travel as far as those frequencies currently in use and consequently not all of the existing sites can be upgraded. The design of the column resembles as closely as possible other existing vertical structures within the immediate area, including lighting columns.

Despite the height of the monopole, it is considered that the proposal including the equipment cabinets and associated development would be of an acceptable appearance. Evidence has been submitted demonstrating that the proposed monopole would be of the least visually intrusive design possible to enable technologies to operate efficiently due to the required cell search area. The equipment cabinets would be small in scale and so would also have an acceptable visual impact. Both the monopole and equipment cabinets would be of an acceptable colour (grey). Whilst it cannot be denied that the 15 metre high monopole would have a visual impact due to its necessary height, as there are other, albeit smaller, vertical features in the vicinity (such as street lighting columns and a nearby telegraph pole), its appearance would not be detrimental to warrant refusal of the application.

ICNIRP declaration

Concerns have been raised from neighbouring properties in relation to health concerns to both human life and biodiversity in the surrounding area. Paragraph 116 of the NPPF (2019) clearly states that "*Local Planning Authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.*" Paragraph 116 of the NPPF (2019) also clearly states that Local Planning Authorities should not set health safeguards different from the International Commission guidelines for public exposure.

The applicant has confirmed that the proposal conforms to current government guidelines regarding health safeguards. An ICNIRP declaration has been submitted with the application, which declares that the proposal is designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure. In this regard, it is not considered any health safeguards in excess of those permitted within government guidelines are considered to arise as a result of the proposal.

Other matters

A neighbour has raised concerns in relation to the proposal negatively impacting house prices in the area. This is not a matter that can be considered as part of this application.

Summary

For the reasons articulated above, it is considered that the siting and appearance of the proposal would be acceptable. Prior approval is required and it is recommended that it be given.

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

Recommendation

Prior Approval Required & Given

Conditions

N/A

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 NOTE TO APPLICANT

The applicant is advised that any apparatus should be removed from the land on which it is situated as soon as reasonably practicable after it is no longer required for electronic communications purposes. Such land should 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.

List of approved plans for standard note

Plan Reference

Drg No. STY18571_M002 Issue B 260 Proposed Elevation received
15/09/2021

Drg No. STY18571_M002 Issue B 210 Proposed Site Plan received
15/09/2021

Drg No. STY18571_M002 Issue B 002 Site Location Plan received 15/09/2021

Drg No. STY18571_M002 Issue B 150 Existing Elevation A received
15/09/2021

Drg No. STY18571_M002 Issue B 100 Existing Site Plan received 15/09/2021

Case officer: Nick Graham

Signed: N. Graham

Date: 23/09/2021

Authorised Signatory:

Date:

«END»