DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0510/23/TPN
Proposal: Application for prior approval under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 for telecommunications installation. Proposed 20.0m high Phase 9 slimline Monopole and associated works.
Location: John Reid Road (adj to New Mill Public House)
South Shields
South Tyneside
NE34 9HG

Site Visit Made: 28/08/2023

Relevant policies/SPDs

N/A

Description of the site and of the proposals

This application seeks prior approval under Schedule 2 Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of telecommunications equipment located to the western side of John Reid Road adjacent to the New Mill Public House. The proposal seeks to enable Cignal Infrastructure UK Limited to deliver the latest 5G technologies and to provide additional coverage capacity for this area of South Shields.

Proposed works comprise of the installation of a new 20 metre high monopole and ancillary development including three other cabinets. The proposed monopole would be galvanised 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 South Shields. 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.

Publicity / Consultations (Expiry date 19/09/2023)

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

1) Neighbour responses

120 Brockley Avenue, South Shields (two objections received) – The siting of this proposal is disgraceful. Already, we who live in this area are hemmed in by roads with frequent traffic, a railway line, and allotments. Heavy vehicles passing on the motorway often send vibrations through my house, motorbikes can be heard screeching along at any hour of day or night, and cargo trains are also fairly loud when passing. Our gardens stink of road fumes and illegal burnings done in the allotments. My back windows show pylons, traffic, and allotments, my front windows show more traffic and pylons, and my side windows show more hurtling traffic and will, if this proposal proceeds, show the "monopole and associated works" itself. The addition of a "20.0m high Phase 9 slimline

Monopole and associated works" may seem like it will be an invisible addition among all of this, but it will not.

Non-residents, particularly those making the application, can easily say the monopole will not be an eyesore. As a resident from whose house the towering mast will be visible, I will feel it is an eyesore if the construction goes ahead. This area has enough eyesores already; major roads, pylons, allotments, speed bumps, a railway. Leaving the empty land empty is therefore much preferable and needed. One monopole being constructed could lead to a "necessary" invasion of more.

It is further debasement of our area, lowering the value of our homes, which would never be done or perhaps never even so much as proposed in a more affluent area. Instead, it seems, the quality of life for the poorer members of society will be once again decreased and dismissed. I do not know where exactly it would stand, but it is time for spare land in our area to be used to make its appearance more pleasant. I expect trees and grass would be removed to make space for this concrete and metal, but even if not, the matter of it being an eyesore still stands. Considering that the affect of the monopole on property values, business for the New Mill, how many parents are comfortable to have their children attend the very near schools, how many residents are comfortable to live near it, and similar concerns are apparently not considered relevant objections, if the monopole is constructed it will stand as a statement of how little residents are regarded, increasing its impact on our quality of life.

Having researched 5G masts, I have found that they must be within very short distances of one another to function optimally. Again, I emphasise that our empty land is preferable to us left exactly as it is. The site has the potential to be used for something more beneficial to the community and / or environment. Concerns about the health impacts, if such impacts exist or not, will cause discomfort for residents. Regarding the latter points, although this council does not have a personal policy regarding these constructions so adheres to the national framework policy, South Tyneside Council website states the "impact on the neighbourhood" will be considered. Yet this seems to not be the case considering what is written in the "what won't be considered" section of the website and the letter we received. A 20m tall monopole like a giant cotton bud, however slimline it may be, could well be a distraction to drivers on the John Reid Road.

Frankly, it is disgraceful also that if there is no "need for the telecommunication system" and if people have health concerns regarding it is considered irrelevant in the matter of if the plan will proceed or not. We who live in areas such as ours often wonder if there is ought to achieve by stating our disapproval, as it is often felt that whatever we say will be dismissed as equally irrelevant. Still, I will add that nobody here complains about telecommunication signals. To conclude, these comments are, as I expect is clear, a thorough objection and a plea to finally feel justly considered.

131 Brockley Avenue, South Shields – I am deeply concerned by this application due to the very likely harmful effects it will have on the environment around our neighborhood. I live within 0.19 miles of the proposed site for the new 5G mast, in a home where wildlife flourishes. To name but a few of the resident wildlife species in our area, we currently have a healthy hedgehog population, regularly nesting bats, starlings, coal tits, goldfinches, all of which are regularly seen. Having extensively scoured the available scholarly research on 5G technology and it's potential effects on the environment, it is apparent that at a minimum, 5G technology appears to be detrimental to bird and insect/pollinator populations within a 0.2 mile radius. There are allotments directly opposite the proposed site, and there is a patch of wasteland in the centre of Brockley Avenue which both provide homes to this abundance of wildlife. Research suggests that by affecting the bird and insect/pollinator populations, the installation of a 5G mast on this proposed site would consequently have a knock on effect on the protected bat and hedgehog populations and would badly diminish the ecosystem which currently resides here.

The proposed plan has been submitted with a view to improving services in a "highly constrained cell search area", specifically with regards to 5G. However, we spend the majority of our time at home,

using internet, working from home and regularly using cellular service and have never had any speed, connection or service issues in the past 18 months that we have been with our current service provider. Therefore, in this case, I believe that the 'need' to install a 5G mast here does not outweigh the consequences of doing so.

Our neighborhood is a peaceful one, with many residents being elderly pensioners or young families, who welcome the wildlife populations around us, and specifically cater to and encourage the presence of pollinators and birds in our gardens. Please rethink the placement of this 5G mast and don't condemn our neighborhood's wildlife haven.

2) Other Consultee responses

Transport Development Officer – No issues arise from the proposal. The details of the application have been examined and are considered generally acceptable, although it would be desirable if the facility was located further away from the principal road network to avoid disruption to traffic flows during the installation process. However, in respect of our consideration of the proposal, the Highway Authority has no objection in principle to the installation.

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.

Siting

The proposal would be located on a main thoroughfare close to a predominantly residential area at John Reid Road, South Shields. 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 John Reid 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. It must also be in a position where it can be physically constructed and not interfering with existing underground services. Eight nearby sites were discounted for reasons including visual prominence and highway safety.

Concerns have been raised by neighbours in respect of the proposal being a distraction to drivers on John Reid Road. However, the Council's Transport Development Officer responding in their capacity as Highway Authority note no concerns with the proposed works and it is noted there are significant number of street lights on John Reid Road which would have a similar visual impact on drivers. There would be no visibility issues caused by the proposal.

Concerns have been raised from neighbours in respect of the siting of the proposal as residents already live close to roads with frequent traffic, a railway line and allotments with heavy vehicles passing on the dual carriageway, motorbikes screeching and cargo trains loud when passing. Neighbours also state their gardens smell of road fumes and illegal burnings from allotments. These are all existing issues and not of relevance to the current prior approval application, particularly as the proposal would not cause

any noise or odour issues. Concerns have also been raised regarding trees / planting being removed to facilitate the development however the works would take place on the public footpath and trees / planting would be unaffected by the proposal.

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. Six other sites were considered due to the cell search area, however these were discounted for various reasons including residential amenity issues, impacts to overhead services and overhanging tree canopies.

Appearance

The main visual impact of the proposal would be the fact that the new monopole would be relatively high at 20 metres (and so approximately ten metres taller than the tallest streetlight within the vicinity of the site). 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. Residents have raised concerns regarding the proposed appearance of the infrastructure, considering the proposed mast to be an eyesore and noting there are major roads, pylons, allotments, speed bumps and a railway within the vicinity of the site and residents' homes.

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 20 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), its appearance is not considered to be materially detrimental to the extant that it would to warrant refusal of the application.

ICNIRP declaration

Neighbours have raised concerns with the proposal being a risk to health, the impact of 5G technology on local wildlife and the need for a telecommunications system. Paragraph 118 of the NPPF 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 118 of the NPPF 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

Concerns have been raised regarding property prices and the works being undertaken in a perceived area of less affluence; these are not material planning considerations.

Concerns have been raised regarding if this application is granted approval, other infrastructure being permitted. However, any further telecommunications infrastructure of a similar height in the vicinity of the site would also require an application for prior approval or planning permission and would be considered on their own merits if and when submitted.

Concerns have been raised regarding potential ecological impacts of the development; this is not a consideration that can be afforded any weight in the assessment of this application, only matters relating to siting and appearance can be considered.

Summary

For the reasons articulated above, it is considered that the siting and appearance of the proposal would be acceptable.

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 plans for standard note

Plan Reference

Drg No. STY17603_M002 Issue B 100 Existing Site Plan received 28/07/2023
Drg No. STY17603_M002 Issue B 150 Existing Elevation A received 28/07/2023
Drg No. STY17603_M002 Issue B 002 Site Location Plan received 28/07/2023
Drg No. STY17603_M002 Issue B 210 Proposed Site Plan received 28/07/2023
Drg No. STY17603_M002 Issue B 260 Proposed Elevation received 28/07/2023

Case officer: Nick Graham
Signed: N. Graham
Date: 28/09/2023

Authorised Signatory:
Date:

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