

# Planning Committee Report

**Committee Date:** 8<sup>th</sup> February 2022

**Application Number:** WNN/2021/0687

**Location:** Clarke telecom, Wisteria Way, Northampton

**Development:** Remove existing 12.5m pole and install replacement 20m pole to support 3no. antennas and ancillary equipment thereto including 6no. RRH units and 2no. dishes'

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**Applicant:** Cornerstone on behalf of Telefonica UK Ltd

**Agent:** Pegasus Planning Group Ltd

**Case Officer:** Jonathan Moore

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**Ward:** Riverside Park Unitary Ward

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**Referred By:** Assistant Director of Place and Economy

**Reason for Referral:** Matters that should be considered by the Committee

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

#### **Proposal**

Planning permission is sought for to remove an existing 12.5m pole and install a replacement 20m pole to support 3no. antennas and ancillary equipment including 6no. RRH (remote radio head) units and 2no. dishes'. The replacement mast would be within a few metres of the existing one.

This application forms part of the wider expansion of the mobile network improvement program. The submission advises there is a specific requirement for an upgrade to the existing installation to provide 3G, 4G and 5G technologies. This follows the operator's assessment of the existing network which concludes that preference is to replace the existing 12.5m high mast with one 7.5m taller capable of holding the larger antennas required for a 5G signal.

#### **Consultations**

The following consultees have raised **no objections** to the application:

Highways  
Environmental Health  
Tree Officer  
Northamptonshire Ecology

33 letters of objection have been received and no letters of support

## **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle
- Impact on appearance and character of area
- Neighbour impact
- Highways
- Trees and ecology

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1 APPLICATION SITE AND LOCALITY**

- 1.1 The application site is on an existing grass verge adjacent to Billing Road East close to the junction with Wisteria Way and located within a residential area. The site lies adjacent to a mini roundabout in a prominent location on the street.
- 1.2 The pole would be adjacent to a belt of existing trees separating the development from the nearest adjacent properties, Nos. 1, 3 and 5 Wisteria Way to the immediate south east. On the opposite side of the Billing Road East to the north are residential dwellings well over 30 metres away to their main elevations. The nearest residential curtilage to the south west, No. 2 Wisteria Way, is located approximately 24m away. An electricity sub-station is located to the west of the site on the opposing side of Wisteria Way.

### **2 CONSTRAINTS**

- 2.1 None

### **3 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1 The application proposed the removal of an existing 12.5m high mast and the replacement with taller mast at 20m a few metres from the existing. The mast would be a monopole design. The existing equipment cabinets on the ground would be retained and upgraded internally.
- 3.2 The proposal has been submitted as a full application rather than a submission under the prior notification process as the width of the mast is marginally over a third wider than the existing mast.

## **4 RELEVANT PLANNING HISTORY**

- 4.1 There is no planning history directly relevant to the proposal.

## **5 RELEVANT PLANNING POLICY AND GUIDANCE**

### **Statutory Duty**

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

### **5.2 Development Plan**

- West Northamptonshire Joint Core Strategy (Local Plan Part 1) – Policy S10 Sustainable Development Principles

Policy S10: Sustainable Development Principles  
Policy BN2 Biodiversity  
Policy BN3 Trees

- Northampton Local Plan (1997)– Saved Policy E20 Design of new development

### **5.3 Material Considerations**

#### **National Planning Policy Framework (NPPF)**

- Paragraph 114 - Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
- Paragraph 115 - 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 where possible.
- Paragraph 130- Requires consideration of high quality design in planning applications and of effect on residential amenity

#### **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

Policy 2 Place making ( Moderate weight)  
 Policy 3 Design ( Moderate weight)  
 Policy 4 Amenity ( Moderate weight)  
 Policy 36 – Electronic Communications Networks

## 6 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Comment
Highways	No comment to make
Tree Officer	No objection as would be well clear of nearby tree canopies in height
<b>Environmental Health</b>	No objection as the relevant ICNIRP Declaration is enclosed: The "ICNIRP Declaration" certifies that the site is designed to be in full compliance with the requirements of the radio frequency (RF) guidelines of the International Commission on Non- Ionizing Radiation Protection (ICNIRP) for public exposure, as expressed in the EU Council recommendation of July 1999, and the subsequent update in 2020.
<b>Northamptonshire Ecology</b>	The Biodiversity impacts should be negligible and would not expect an ecological survey in this case. Understand there has been a query about impacts on foraging and commuting bats: in my view any bats will be used to the existing structure and replacing it should not be an issue.
<b>Councillor D Soan (Rushmills Ward)</b>	Objects as would have an extremely detrimental effect on the appearance of the public realm and is also in very close proximity to residential dwellings. Would be double height of nearby lamp posts. Need more information on site selection and demonstration alternative sites have been explored. Out of keeping with local area.

## 7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 There have been 33 objections on the following grounds with no letters of support received:

- Impact on health
- Lack of resident consultation
- Errors on planning forms

- ICNIRP regs out of date
- Site selection process dubious
- Not a replacement mast
- Lack of screening
- Impact on trees
- Impacts on ecology and bats
- Impact on local environment
- Better to upgrade fibre optic
- Noise from equipment
- Poor siting
- Plans misleading
- Out of keeping with street scene and street furniture
- Visual intrusion and domination
- Economic benefits relates to business only
- Profit driven
- Impact on children's safety
- Impact on highways
- Poor application of policy
- Impact on property value
- No need

## **8 APPRAISAL**

### **Main issues**

- 8.1 The main issues to consider are the principle of development, impact on the appearance and character of the area, economic and social benefits, neighbour amenity highway safety, impact on trees and ecology.

### **Principle of Development**

- 8.2 The NPPF advises at Paragraph 114 that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being and that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Paragraph 115 advises that the number of masts should be kept to a minimum consistent with consumer needs encouraging the use of existing masts. Where new sites are required, such as for 5G networks, equipment should be sympathetically designed where possible.
- 8.3 Emerging Policy 36 of the submitted Local Plan Part 2, whilst predominantly aimed at provision of electronic communication networks for new development, recognises the need for improved mobile connectivity including increasing 4G and enabling 5G access. Improvement in the communications network are critical to continued economic development in Northampton and are also important in supporting new ways of working such as home working.
- 8.4 The principle of the installation of a replacement mast to upgrade the existing mast on site is considered to be in accordance with policy aims to provide a high quality and reliable communications network.

### **Site selection and applicant's justification**

- 8.5 The applicant advises that the local area which surrounds Billing Road East currently has a poor signal strength. The existing base station is located almost central to the

area which was why this site was selected for a proposed upgrade. Alternative base station sites have been looked into in the local area however, there are no other base station sites which could provide a suitable alternative to be upgraded. Therefore, the upgrade of the base station as part of this proposal was selected.

- 8.6 The applicant contends that the existing mast does not have the capacity to accommodate the increase in equipment hence the proposed replacement has been chosen to provide the required capacity to facilitate the new development. In the same regard the replacement antennas must be allowed to emit a radio signal without impediment meaning they need to be sited at a high position to ensure radio signal clears all surrounding structures. The applicant advises that community consultation has also been undertaken with local Councillors. Abington Vale School and Northampton Schools for Boys on Billing Road.

### **Impact on the appearance and character of the area and street scene**

- 8.7 The National Planning Policy Framework Paragraph 130 states; Planning decisions should ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - are visually attractive as a result of good architecture, layout and appropriate and effective;
  - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- 8.8 Policy S10 of the Joint Core Strategy and Policy E20 of the Local Plan require high standards of design. Policy 2 of the emerging Local Plan Part 2 states that development should be designed to promote and contribute to good placemaking through high quality, innovative and sustainable design which encourages the creation of a strong, locally distinctive sense of place.
- 8.9 The proposed pole at 20m high would be considerably larger than existing street lighting columns within the vicinity of the site. The slim line appearance would blend in with other street equipment which are of similar profile and the existing trees provide some element of screening to the existing mast and help soften the visual impact of built form with a backdrop when viewed from Billing Road East and Wisteria Way to the south. albeit the mast would protrude above the tree screen to a greater extent than existing.
- 8.10 The proposal involves a mast adjacent to and replacing the existing mast rather than adding a new site location which would assist less visual clutter in the street scene and has been designed with the aim of achieving a balance between minimising visual impact and achieving the technical requirements needed by the operator. It is necessary for the height of the structure to ensure that interference is avoided and that the structure is able to support the 5G antenna and other apparatus. A condition requiring that the existing mast is removed as per the approved plan will assist in ensuring visual clutter is avoided.
- 8.11 The visual impact of the proposed replacement mast must be weighed against the requirements to provide high quality and reliable communications network.

### **Effect on amenity of neighbours**

- 8.12 The site is some distance to the nearest residential properties the closest to the south east being approximately 17 metres away on Wisteria Way and separated by existing planting acting as a partial screen though the mast would be higher than these features. Given significant separation of properties opposite on Billing Road at over 30 metres away the effect would be limited in terms of loss of outlook and visual intrusion.
- 8.13 On balance, it is not considered the increased visual impact in comparison to the existing mast which is already visible to the nearest residential properties is sufficient to warrant refusal of the application.

### **Highway**

- 8.14 The proposal is for a replacement mast on a grass verge with existing telecommunications equipment installed on site. The existing equipment cabinets would remain in situ with equipment upgraded internally. The proposal would not lead to any increased encroachment on the footway and the Highway Authority raise no objection to the proposal.

### **Impact on existing trees**

- 8.15 Some local residents are concerned that the proposal may affect the adjacent trees. The Council's Tree Officer has no objection given that the proposal would be clear of the surrounding tree canopies and the proposal accords with Policy BN3 of the Joint Core Strategy. Furthermore the trees adjacent are not protected by preservation orders or in a conservation area.

### **Ecology**

- 8.16 Some local residents object on the basis that there may be bats roosting in the adjacent trees. The Council's Ecologist has no objection and comments that the biodiversity impacts are likely to be negligible and an ecology survey is not required. This accords with Policy BN2 of the Joint Core Strategy and aims of the NPPF.

### **Health issues**

- 8.17 The supporting information advises the proposal is designed and constructed in compliance with the precautionary ICNIRP on the public exposure guidelines as adopted in EU Council Recommendation on the limitation of exposure of the general public to electromagnetic fields. These guidelines have been set following a thorough review of the science and take into consideration both thermal and nonthermal effects. They protect all members of the public 24 hours a day. In addition, precautionary measures have been taken into account when setting relevant guideline limits for the public (i.e. in the UK a safety factor of 50 times is applied to the public exposure guideline)
- 8.18 An ICNIRP certificate is enclosed with the application in accordance with planning requirements which has been reviewed by Environmental Health who raise no objections.

### **Other issues raised by residents**

- 8.19 Concerns have been raised in respect of noise impacts arising from the proposed mast. Environmental Health raised no objection in this regard.

- 8.20 Concerns have been raised regarding lack of neighbour notification. Neighbour notification letters were sent to occupiers in the immediate vicinity of the site and a site notice posted in accordance with statutory requirements.
- 8.21 Concerns have been raised regarding impact on property value and that the proposal is profit motivated. These are not a material planning consideration.

## **9 FINANCIAL CONSIDERATIONS**

- 9.1 The development is not CIL Liable

## **10 PLANNING BALANCE AND CONCLUSION**

- 10.1 The proposal is to replace an existing mast in a similar position on the site to allow for 5G coverage for the surrounding area. The nature of the technical requirements for the provision of 5G result in a significant increase in mast height to that existing. However, the proposal would not increase the extent of street clutter on the ground to that existing and the visual impact must be weighed against the demand for the provision of improved communications networks and the economic and social benefits that brings. On balance, the siting, appearance and scale is considered acceptable and the proposal would not lead to significant and unacceptable harm in respect of visual and residential amenity that would justify a refusal of planning permission and would not adversely impact on the highway, existing trees or ecology in accordance with the requirements of the NPPF, Policies S10, BN2 and BN3 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

## **11 RECOMMENDATION / CONDITIONS AND REASONS**

- 11.1 Grant permission, subject to the conditions as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 100A, 201A, 301A

Reason: For the avoidance of doubt and to accord with the terms of the planning application

- 3) Prior to the first use of the approved mast, the existing 12.5m high mast shall be removed and the land restored to its former condition.

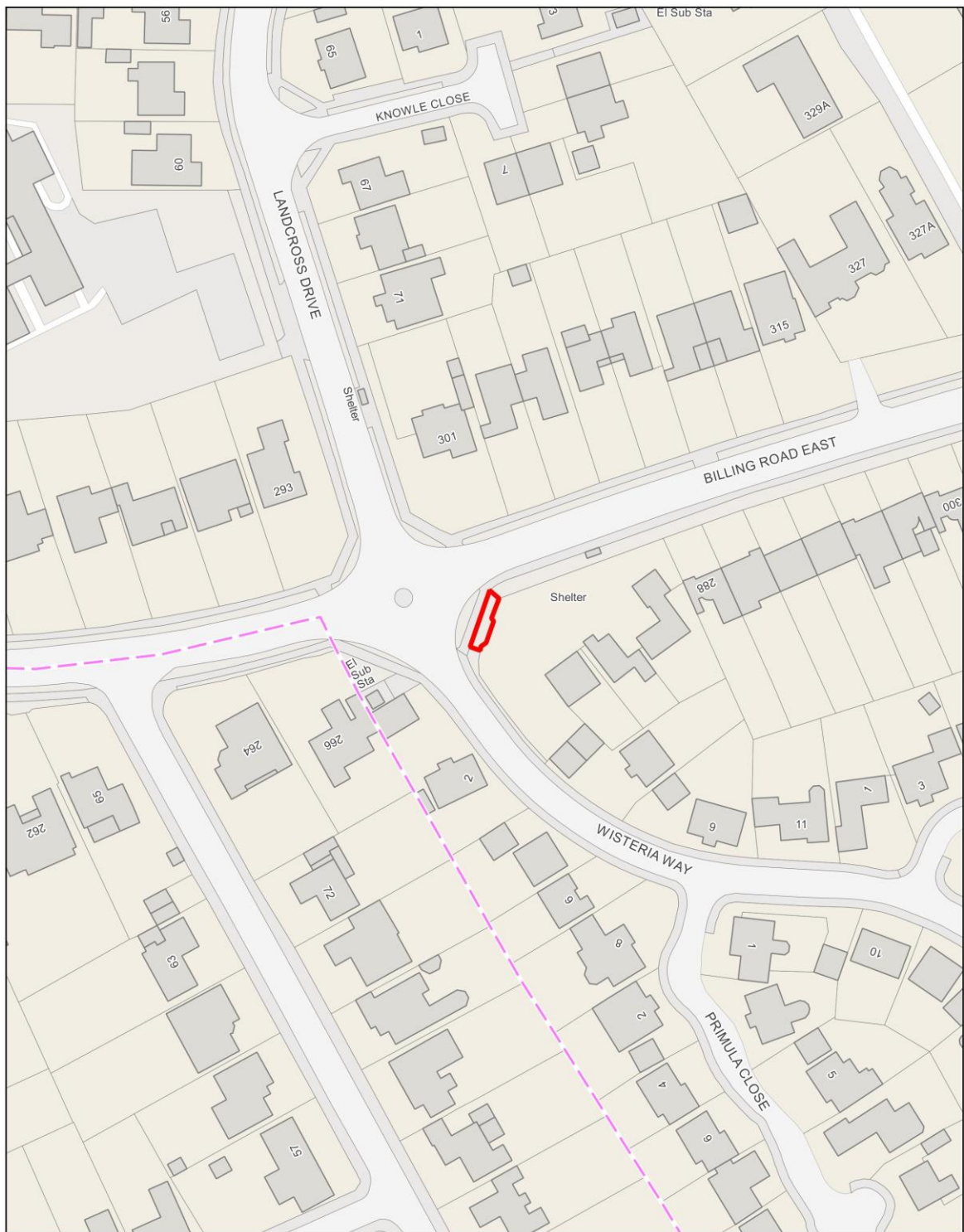
Reason: In the interests of visual amenity to avoid visual clutter to accord with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

- 4) The approved mast shall be finished to colour RAL 6009 ( Fir Green) as per the approved plans.



Reason: in the interests of visual amenity to comply with Policy E20 of the Northampton Local Plan.

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**West  
Northamptonshire  
Council**

Title: **Wisteria Way**

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Date: 27-01-2022

Scale: 1:1,000 @A4

Drawn: M Johnson