



Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/0826

Location: Clarke telecom, Wisteria Way/ Billing Road East, Northampton

Development: Retention of 20m high telecommunications column with associated antennas and replacement of 1no meter cabinet and ancillary works (amendment to scheme approved under planning permission WNN/2021/0687)

Applicant: Cornerstone Ltd

Agent: Galliford Try Telecoms

Case Officer: Jonathan Moore

Ward: Riverside Park Unitary Ward

Referred by: Assistant Director of Place and Economy

Reason for Referral: Significant public interest and previous site history

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITION 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.

Proposal

Planning permission is sought for the retention of 20m high telecommunications column with associated antennas and replacement of 1no metre cabinet and ancillary works (amendment to scheme approved under planning permission WNN/2021/0687)

Consultations:

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

Tree Officer
Ecology Officer
Environmental Health
Highways

9 letters of objection have been received to the proposal (see below).

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 of Development
- Impact on appearance and character of area
- Neighbour amenity
- Highways
- Impact on trees
- Ecology
- Health issues
- Other issues

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 an established residential area. The site lies adjacent to a mini roundabout in a prominent location on the street.
- 1.2 The pole is 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 over 20m away.

2 CONSTRAINTS

- 2.1 None

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The mast is a monopole design. 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 The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
WNN/2021/0687	Remove existing 12.5m pole and install	February 2022

	replacement 20m pole to support 3no. antennas and ancillary equipment thereto including 6no. RRH units and 2no. dishes'	APPROVED
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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.

Development Plan

- 5.2 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (Local Plan Part 1)

- 5.3 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- Policy S10 Sustainable Development Principles
 - Policy BN2 Biodiversity
 - Policy BN3 Trees

Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.4 The relevant policies are:
- E20- Design of new development

Material Considerations

- 5.5 Below is a list of the relevant Material Planning 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 within 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 and 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
Tree Officer	Will unlikely have lasting impact on existing trees at junction of Wisteria Way and Billing Road East therefore raise no objections
Ecology	Not materially different from previous application therefore no comments to make
Environmental Health	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. No further comments to make
Highways	No comments to make

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 9 letters of objections received on the following grounds:

- 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/ school
- Impact on highways
- Poor application of policy
- Impact on property value
- No need
- Traffic and parking issues from construction

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.

Background to the application

- 8.2 Members will recall that a planning application for a replacement mast was considered at committee in February under reference WNN/2021/0687 and approved subject to conditions. Following complaints from residents that this mast was being erected in the wrong position in June 2022 the Council's Planning Enforcement Team requested a retrospective planning application to regularise the development hence the current submission which is 1.5m away from the approved position and 5m from the previous mast that existing on site.

Principle of Development

- 8.3 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.
- 8.4 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.

- 8.5 The principle of the installation of a mast is considered to be in accordance with policy aims to provide a high quality and reliable communications network.

Site selection and applicant's justification

- 8.6 The applicant has previously advised that the local area which surrounds Billing Road East currently has a poor signal strength. The base station is located almost central to the area which was why this site was selected. 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. The applicant advises that community consultation has also been undertaken with local Councillors. Abington Vale School and Northampton Schools for Boys on Billing Road on these applications.

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.
- 8.10 The proposal involves a mast that 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. In order to reduce clutter, a condition is recommended that no mast be erected within 4m of the approved so that the applicant cannot implement two separate planning approvals.

Effect on amenity of neighbours

- 8.11 The site is some distance to the nearest residential properties the closest to the south east being on Wisteria Way and separated by existing planting acting as a partial screen though the mast is 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. 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 safety

- 8.12 The proposal is for a mast on a grass verge with existing telecommunications equipment installed on site. 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

- 8.13 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

- 8.14 Some local residents had objected 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. This accords with Policy BN2 of the Joint Core Strategy and aims of the NPPF.

Health issues

- 8.15 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)
- 8.16 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

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

8.18 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 CIL is not payable as there would be no creation of any floor space and the development is not retail or residential in nature

10 PLANNING BALANCE AND CONCLUSION

10.1 The proposal is considered acceptable in principle and though prominently sited when considered against other material considerations is considered satisfactory in terms of effect on residential amenity, highway safety, ecology and effect on trees.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 Detailed recommendation here and full list of conditions and reasons here

1. No mast shall be installed within four metres of the mast approved under reference WNN/2022/0826 without planning permission, unless it is to replace the existing mast and is sited with the relevant permitted development rights.

Reason: To prevent two separate planning permissions being implemented in close proximity, in the interests of visual amenity to comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan



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