

Title of Report:	Planning Committee Report – LA01/2022/0939/F
Committee Report Submitted To:	Planning Committee
Date of Meeting:	27th September 2023
For Decision or For Information	For Decision – Objection Item
To be discussed In Committee YES/NO	No

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them
Lead Officer	Principal Planning Officer

Budgetary Considerations	
Cost of Proposal	Nil
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

Legal Considerations	
Input of Legal Services Required	NO
Legal Opinion Obtained	NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	N/A	Date:
	EQIA Required and Completed:	N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	N/A	Date:
	RNA Required and Completed:	N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	N/A	Date:
	DPIA Required and Completed:	N/A	Date:

No:	LA01/2022/0939/F	Ward:	Coleraine
App Type:	Full		
Address:	Grass verge between Screen Road & Dunhill Road opposite No.4 Riverside Park East Coleraine BT51 3NA.		
Proposal:	Removal of existing 12.5m telecommunications column and 1No. cabinet and replacement with a 20m column, 2No. cabinets and associated ancillary development. New column to be approximately 1.4m North East of existing position.		
Con Area:	N/A	Valid Date:	02/09/2022
Listed Building Grade:	N/A		
Agent:	Taylor Patterson, c/o Les Ross Planning, 14 King Street, Magherafelt BT54 6AR		
Applicant:	Cornerstone, Hive 2, 1530 Arlington Business Park, Berkshire		
Objections:	8	Petitions of Objection:	0
Support:	0	Petitions of Support:	0

EXECUTIVE SUMMARY

- This proposal is considered acceptable at this location having regard to the Northern Area Plan 2016 and all other material considerations.
- The site already has a telecommunications mast which will be removed and replaced with the new proposed telecommunications mast.
- There have been 8 objections from 7 separate addresses on this application and no statutory consultees have raised any concerns with the proposal.
- The proposed layout of the site is considered acceptable. It is considered that there will be no unacceptable impacts on existing dwellings.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, and PPS 10.
- Approval is recommended.

Drawings and additional information are available to view on the Planning Portal- <https://planningregister.planningsystemni.gov.uk/>

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** outline planning permission subject to the reasons set out in section 10.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site is located on an existing grass verge between Screen Road and Dunhill Road, opposite the Riverside Park within the settlement development limits of Coleraine. The site is currently a small public grass area of land at the side of the dual carriageway which slopes down from west to east. There is an existing telecommunications mast with several associated cabinets and a roads sign with surrounding trees. The Riverside Park is opposite the site to the south and closest units include Somerset Petrol station and McDonalds, while there are residential properties across the Screen Road and public footpath to the north. The Ring Road roundabout is located a short distance to the east where there is a backdrop of trees.
- 2.2 The site is located on the edge of a LLPA – Laurel Hill LLPA Designation CEL 17 within the Northern Area Plan.

3 RELEVANT HISTORY

Existing operational Telecommunications mast

C/2012/0053/F – Proposed addition of a Lancaster cabinet – Approval Granted – 28/06/2012

4 THE APPLICATION

- 4.1 This is a full application for removal of existing 12.5 telecommunications column and 1 no. cabinet and replacement with a 20m column, 2 cabinets and associated ancillary development. New column to be approximately 1.4m north east of existing position. The application was accompanied with the following report: ICNIRP certificate

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: There are a total of 8no. letters of objection from 7no. addresses received in regard to this application. The objections raised matters of concern in relation to:

- Eyesore, too high in residential area.
- Detrimental to health
- Devaluation of property
- Interference with electrical devices
- Not sited where it was supposed to be originally positioned.

5.2 Internal

DFI Roads: No objections

NIE: No objections

Environmental Health: No objections

DFI Rivers: No objections

HED: No objection.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in

accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

- The Northern Area Plan 2016 (NAP)

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.5 Due weight should be given to the relevant policies in the development plan.

6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The Northern Area Plan 2016

The Strategic Planning Policy Statement (SPPS)

PPS 10: Telecommunications

DCAN 14: Siting and design of radio telecommunications equipment

8 CONSIDERATIONS & ASSESSMENT

8.1 The proposal must be considered having regard to the NAP 2016, SPPS, and PPS policy documents specified above. The main considerations in the determination of this application relate to principle of development and impacts on residential amenity and character.

Planning Policy and Principle of Development.

- 8.2 The principle of the type and scale of the development proposed must be considered having regard to the SPPS and PPS policy documents specified above.
- 8.3 The site is located within the settlement development limit of Coleraine and involves the replacement of the existing 12.5 metres telecommunications mast with a higher 20m mast on lands located within the edge of the Laurel Hill LLPA zoned within the Northern Area Plan 2016 designation CEL 17. The key site requirements are that this area comprises parkland, including mature tree stands, which provides an attractive setting for the prominent listed building at Laurel Hill. Historic Environment Division was consulted and offer no objection. Given the application is to replace an existing mast at the side of the dual carriageway and there is no impact on existing trees or the view of the listed building the proposal is considered acceptable within the LLPA designation.
- 8.4 Paragraph 6.238 states the aim of the Strategic Planning Policy Statement (SPPS) in relation to telecommunications and other utilities is to facilitate the development of such infrastructure in an efficient and effective manner whilst keeping the environmental impact to a minimum.
- 8.5 Paragraph 6.239 states the regional strategic objectives for telecommunications and other utilities are to:
- ensure that where appropriate new telecommunications development is accommodated by mast and mast sharing;
 - ensure that the visual and environmental impact of telecommunications and other utility development is kept to a minimum;
 - minimise, as far as practicable, undue interference that may be caused to radio spectrum users (for example mobile phone services, media broadcasting and wireless broadband services) by new telecommunications development; and
 - encourage appropriate provision for telecommunications systems in the design of other forms of development.
- 8.6 Given the location of the proposal on the site of an existing telecommunications mast which is on a plot of public land beside the busy dual carriageway, the proposal is in compliance with the SPPS. The principle of a telecommunications mast is already established due

to the present mast. The new mast will be higher but is mitigated by the surrounding tree backdrop, and there are a lot of lighting poles along the main reservation of the dual carriageway and electricity poles to the northern side also. Between all this the proposal fits in without detriment to visual amenity.

Planning Policy Statement 10, PPS 10 Telecommunications

- 8.7 Policy TEL 1 Control of Telecommunications Development states that proposals will be permitted for telecommunications development where such proposals, together with any necessary enabling works, that will result in unacceptable damage to visual amenity or harm to environmentally sensitive features or locations.
- 8.8 Developers will therefore be required to demonstrate that the proposals for telecommunications development, having regard to technical and operational constraints, have been sited and designed to minimise visual and environmental impact.
- 8.9 Proposals for the development of a new telecommunications mast will only be considered acceptable by the Department where the above requirements are met and it is reasonably demonstrated that the sharing of a mast is not feasible or a new mast represents a better environmental solution than other options.
- 8.10 Applications for telecommunication development by code system operators or broadcasters will need to include:
- Information about the purpose and need for the particular development including a description of how it fits into the operators wider network
 - Details of the consideration given to measures to mitigate the visual and environmental impact of the proposal; and
 - Where the proposals relate to the development of a mobile telecommunications base station, a statement: indicating its location, the height of the antenna, the frequency and modulation characteristics, details of power output; and declaring that the base station when operational will meet the ICNIRP guidelines for public exposure to electromagnetic fields.

- 8.11 The applicant has submitted supporting information which indicates that the existing network is required to be improved with the advent of 5G. There is an existing mast on the site and this will be increased in height from 12.5m to 20m. There will be additional cabinet infrastructure associated with the mast. 5G is the next generation of mobile connectivity giving faster and more reliable connectivity. The proposal will address 5G coverage provision which ensures better coverage in the wider urban area. An ICNIRP statement has been provided.
- 8.12 The proposal satisfies the policy TEL 1 as it will not damage visual amenity or harm environmentally sensitive features. The application has been supported by the information on 5G and the statement provided. The applicant has chosen the site due to the existing mast and will therefore be replacing it. It is deemed that the proposal can absorb into this locality with limited visual impact.
- 8.13 Development Control Advice Note 14 – Siting and Design of Radio Telecommunications Equipment, advises that telecommunications equipment should minimise the contrast between the mast and its surroundings. The proposed mast accords with the criteria of DCAN 14, in that the mast will be designed as a street pole which will help it be absorbed into the surrounding area.
- 8.14 **Safeguarding residential and work environs.**
- 8.15 Paragraph 4.12 of the SPPS is relevant. This paragraph relates to safeguarding residential and work environs. It also helps to address concerns from neighbours and objectors within this application. Other amenity considerations arising from development, that may have potential health and well-being implications, include design considerations, impacts of visual intrusion etc. However this list is not exhaustive and the planning authorities will be best placed to identify and consider, in consultation with stakeholders, all relevant environmental and amenity considerations for the area.
- 8.16 The objections concerns have been listed above in the report and include the visual impact of the mast, the health implications, the interference, devaluing of property and question of original position. The application involves the replacement of an existing telecommunications mast and therefore it has already been accepted and approved at this location. It has been in operation for many years and is positioned among mature trees and surrounded by large

roadside lighting poles and electrical poles. As the existing mast fits in with the visual surroundings, likewise the new mast is anticipated to also blend in and be absorbed into the area without detriment. No evidence has been supplied to support the concept of interference with the neighbours' technical equipment from the telecommunications mast, therefore this objection does not hold sufficient weight to warrant refusal. This also applies to valuation of neighbouring properties as no supporting evidence has been submitted.

- 8.17 Paragraph 2.3 of the SPPS states that the planning system operates in the public interest of local communities and the region as a whole, and encompasses the present as well as future needs of society. It does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. Good neighbourliness and fairness are among the yardsticks against which development proposals will be measured.
- 8.18 The proposed mast is close to a busy road and roundabout within the urban area and there is both residential properties to the north and retailing a retail park to the south. Though the mast at 20m will extend above the tree line it is in an open urban setting with competing focuses, as such it is not considered to have a demonstrable adverse impact on the character of the area.
- 8.19 The application proposal has been supported by an ICNIRP Certificate concerning radiation compliance with approved and recognised standards. NIE have been consulted and offer no objections. Environmental Health have been consulted and offer no objections and therefore consider no adverse impact on local residents.
- 8.20 The telecommunications mast is 20m high on the roadside verge, DFI Roads have been consulted due to the proximity of the public road and footpath. DFI Roads have no objections.

8.21 As DFI Roads and Environmental Health are the competent authorities and are content, the proposal complies with para 4.12 of the SPPS.

Habitats Regulations Assessment.

8.22 The Habitats Regulations assessment Screening Checklist- Conservation (natural habitats, etc) Amendment) Regulations (Northern Ireland) 2015: The potential impact of this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural habitats, etc) Regulations (Northern Ireland) 1995 (as amended). Rivers agency were consulted and offer no objections. There is no watercourses in close proximity to the proposal. The proposal would not likely to have a significant effect on the features, conservation objectives or status of any of these sites.

9 CONCLUSION

9.1 The proposal is considered acceptable at this location having regard to the Northern Area Plan and other material considerations, the SPPS, and Planning Policy Statement 10. Consultee responses and representations have been considered. The applicant has submitted supporting information which supports the need for 5G networks. The proposal will address the shortfall of 5G in the area and is using an existing site replacing an existing mast. The principle of development is acceptable and approval is recommended.

10 Conditions

1. The development hereby permitted must be begun within five years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The existing telecommunications mast shall be removed from the site within six weeks of the proposed mast hereby approved becomes operational.

Reason: In the interests of residential and visual amenity.

Site Location Map

