

Application No: 20/3347M

Location: SITE AT, GOODALL STREET, MACCLESFIELD, CHESHIRE, SK11 7BD

Proposal: The installation of a 5m high lattice stub tower supporting 3no. antennas, 2no. 300mm transmission dishes, proposed 2no. equipment cabinets and ancillary development thereto including 18no. Remote radio units (RRU's) and 9no combiners.

Applicant: Vodafone Limited

Expiry Date: 12-Mar-2021

## **REASON FOR DEFERRAL**

This application was deferred by the Northern Planning Committee on 13 January 2021 for the following reason:

*“for evidence of alternative location sites to be provided, including reasons as to why those sites were discounted and for the applicant to consult with residents on the potential location of the infrastructure.”*

## **APPLICANT’S SUBMISSION**

The applicant has since submitted a response including photographs, a map exploring alternative sites within the target region and reasons for discounting these sites, which can be summarised into the following categories:

- Heritage value of the building and/or site;
- Height of the building and/or site;
- Roof type (sloping roofs are not suitable);
- Siting would result in more harm with regards to design (e.g. prominence, impact on heritage assets) than application site.

## **Search Area**





**1. Rooftop - rear of Brook Street Mill, off Parker Street, Macclesfield, Cheshire, SK11 7BQ  
NGR E: 392232 N: 373281**



This building has a pitched roof. Telecommunications equipment cannot be located on a pitched roof as there is nothing it can be attached to. The roof needs to be flat. The southern elevation facing Parker Street towards its middle has a large area of blank gable. In order to avoid clipping from the main roof and to be ICNIRP compliant any pole mounted antennas fixed to the walls would need to be very tall circa 6m. This building is not designed to structurally support such a large pole and the associated weight of the antenna equipment including the feeder cables which are all very heavy. Antennas in this location would also not provide 360 degree coverage in order to reach all the target coverage area.

There is no chimney anywhere on this building apart from a flue as can be seen in the above site photo. This is of metal construction and not designed to be able to support the telecommunications equipment and is too low to provide the necessary replacement coverage to the target coverage area. A rooftop installation therefore has been discounted for these reasons.

**2. Rooftop Units 1-3 Parker Street, Macclesfield, Cheshire, SK11 7BQ NGR E: 392251 N: 373256**



This building is too low and not built of a material that could structurally support telecommunications equipment. It has therefore been discounted for these reasons.

**3. Rooftop/Greenfield Brookside Welding Supplies Ltd, The Wealding Centre, Jodrell Street, Macclesfield, Cheshire, SK11 7BB NGR E: 392245 N: 373237**



This building is too low to provide the necessary coverage to the target coverage area. The pitched roof is also unsuitable to support a telecommunications installation even if it were tall enough, as there is nothing that the equipment could be attached to, flat roofs are required. There are also solar panels on this roof which further prevent an installation on this roof. There is insufficient space within the yard area to accommodate a ground-based installation at this location. Therefore, this location has been discounted.

**4. Rooftop – Building to the south side of Parker Street, Macclesfield, Cheshire, SK11 7BQ NGR E: 392209 N: 373264**



This building has a pitched roof and therefore is not able to support telecommunications equipment. The building is also too low to provide the necessary coverage to the target coverage area. Furthermore, the design of the building does not lend itself to being able to support telecommunications due to the windows being in the way of installing wall mounted antennas. If wall mounted antennas were to be fixed to the gable end the antenna support poles would need to be over double the height of the host building, to avoid clipping from the host building roof, clear the urban clutter in the surrounding area, and to be ICNIRP compliant. The host building is not structurally capable of supporting such tall antenna poles, nor has it been designed to do so. This building has been discounted for these reasons.

**5. Rooftop – Brook Street Mill at the corner of Parker Street and Turnock Street, Macclesfield, Cheshire, SK11 7BQ NGR E: 392197 N: 373284**



This building has a hipped roof design. Telecommunications equipment cannot be installed on these types of roof tops they need to be flat, as there is nothing for them to safely attach to. The building is also some 2m lower (above sea level) at this location than the application site. Therefore, whilst there is an element of blank gable at this location any pole mounted antennas fixed to the wall would need to be at least 8m in height in order to avoid clipping of the main roof and to be ICNIRP compliant. This building is not structurally capable of supporting such a

tall pole and the associated weight of the telecommunications equipment including the feeder cables which are all very heavy. It would also detrimentally affect the character and appearance of this locally listed building. This building has been discounted for these reasons.

**6. Rooftop – Brook Street Mill, Macclesfield, Cheshire, SK11 7AN NGR E: 392215 N: 373304**



This building has a hipped roof which is unable to support telecommunications as the roof needs to be flat. The numerous windows on the north and west elevations prevent any wall mounted antennas from being located here. Even if they could be attached to the wall, the pole mounts would need to be some 8m in height in order to avoid clipping of the roof, reach the target coverage area and to be ICNIRP compliant. Clipping of the roof stops the antennas from being able to operate effectively. The building is not able to structurally support such tall antenna poles, the wind loading caused by an installation would mean that the antenna support pole would not be stable in this location. The presence of the overhead lines would also hamper a site being installed in this location.

It is not possible to attach pole mounts to the small gable protruding above 85 Brook Street as there is not enough gable height to support the height of pole required to provide the necessary coverage to the target coverage area. A site in this location has therefore been discounted.

**7. Rooftop – St Paul’s Church, Dainty Street, Macclesfield, Cheshire, SK11 7AH NGR E: 392118 N: 373373**



The ground level is too low in this location to provide the necessary coverage to the target area. The trees would also block the antennas from providing any coverage to the target coverage area as well as the intervening buildings. There is insufficient space within the church tower to provide the necessary coverage to the target coverage area and the louvre openings would not provide the necessary 360 degree coverage to target coverage area.

The building is also Grade II listed and therefore any external face mounted antennas would have a greater impact on the character and appearance of this important heritage asset than the application site, (where it has been assessed that no harm would be caused to nearby heritage assets). A site in this location has therefore been discounted for these reasons.

#### **8. Rooftop – Rooftop on Brook Street adjacent to Brook Street Mill, Macclesfield, Cheshire, SK11 7BD NGR E: 392246 N: 373312**



This building is too low to provide the necessary coverage to the target coverage area. The building also has a pitched roof which is unsuitable to support telecommunications equipment. Wall mounted antennas would need to have very tall support poles. The building's design does not lend itself to supporting such poles as it would not be structurally capable of bearing the weight of the poles, especially when windloading is taken into account. An installation on this building has therefore been discounted for these reasons.

#### **9. Rooftop – Bior Auto Bodyshop, Brook Street, Macclesfield, Cheshire, SK11 7BD NGR E: 392260 N: 373316**



This single storey building is too low to provide the necessary coverage to the target coverage area. It also has a pitched roof which is unsuitable to support a telecommunications installation. The roof also contains skylights which prevent an installation from being built. It is of fragile construction in any event and would not support the weight of the telecommunications equipment.

**10. Streetworks – SWs Swettenham Street, Macclesfield, Cheshire, SK11 7AW NGR E: 392355 N: 373346**



A streetworks installation in this location would be very prominent in this location and would be much closer to the Grade II listed Hovis Mill and directly within its setting. This would have a much greater impact on this heritage asset than the application site, where a heritage statement has been prepared and found there to be no harm to the Hovis Mill listed building in relation to an installation on the new office building on Goodall Street.

There are also a number of trees in this location which would make installing a radio base station in this location difficult. Underground services are also present in this location preventing build from taking place. A site in this location has therefore been discounted for these reasons.

**11. Greenfield – Freedom Boats, Union Road, Macclesfield, Cheshire, SK11 7BF NGR E: 392380 N: 373326**



An installation in this location would be directly in the setting of the Grade II listed Hovis Mill and would have a much greater impact on this heritage asset than the application site. There is also insufficient available space to enable a ground based installation in this location and it would obstruct access for the daily operation of the business premises. A site in this location has therefore been discounted for these reasons.

**12. Rooftop – Chimney of Hovis Mill, Union Road, Macclesfield, Cheshire, SK11 7BF NGR E: 392380 N: 373326**



This is a Grade II listed building. Attaching antennas to the chimney of this heritage asset would have a detrimental impact on the character and appearance of this prominent heritage asset. It is also located on the edge of the search area and therefore only 1 out of the 3 sectors would be able to provide the necessary coverage to the target coverage area. This would lead to capacity and coverage issues leading to buffering and dropped calls and pressure for another installation within the cell area. This would cause the proliferation of masts contrary to national guidance contained within the NPPF.

Access to this chimney would be very difficult as there is no where feasible to park a crane which would be able to access 360 degrees around the chimney. You cannot scaffold off a pitched roof, and therefore there is no way of accessing the chimney for installation purposes.

The presence of the canal further limits access to the chimney from the rear of the property. For these reasons, this site has been discounted.

**13. Rooftop – Unit behind the application site off Goodall Street (now Multi Activity Centre), Macclesfield, Cheshire, SK11 7BA NGR E: 392319 N: 373254**



This is a single storey unit behind the application site. The construction materials of this building would not support a telecommunications installation. The building is also too low to provide the necessary coverage to the target coverage area and the roof is pitched and would not support a telecommunications installation. This site has therefore been discounted for these reasons.

**14. Rooftop – Flat roofed building of Brook Street Mill on Goodall Street, opposite application site, Goodall Street, Macclesfield, Cheshire, SK11 7BD NGR E: 392266 N: 373284**



This building is too low to provide the necessary coverage to the target coverage area. It has therefore been discounted for this reason.

**15. Rooftop/Greenfield – The Wharf Public House, Brook Street, Macclesfield, Cheshire, SK11 7AW NGR E: 392286 N: 373324**



This building is too low to provide the necessary coverage to the target coverage area. It also has a hipped roof which is unsuitable for a telecommunications installation. There is insufficient space in the yard area to accommodate a radio base station at this location. A site at this location has therefore been discounted.

**16. Greenfield – Yard area behind Brook Street Mill, Macclesfield, Cheshire, SK11 7BQ  
NGR E: 392214 N: 373293**



There is insufficient available space in this yard area to accommodate a radio base station in this location. A ground-based installation in this location would also obstruct access to adjacent properties. A site in this location has therefore been discounted for these reasons.

**Consultation**

No further consultation has been carried out with local residents. The applicant refers to the pre-application consultation carried out with the local planning authority, the local ward Cllr, the local MP and the Town Council. This is in addition to the consultation carried out by the LPA as part of the application process, which included direct notification to neighbouring properties.

There is no statutory requirement for the operator to enter into pre-application consultation with the local community prior to the planning application being submitted to the Council.

Furthermore, it is not a valid reason for refusing an application. The operator has fully complied with the consultation requirements set out in the Code of Best Practice on Mobile Network Development in England.

## **CONCLUSION**

It is considered that there are no more suitable sites that can be utilised for a telecommunications radio base station. The proposed location at an established telecommunications site is the most suitable option in order to reinstate coverage in this area for the operator and its customers. As in the original report a recommendation of approval is made.

\*\*\*\*\*

## **ORIGINAL COMMITTEE REPORT (JAN 2021)**

### **SUMMARY**

The proposal would be acceptable in principle. While there would be a degree of visual impact, this is not unusual for service infrastructure and this impact has been minimised through its siting. There would be no harm to surrounding heritage assets. The proposed development would deliver significant public benefit. It is therefore recommended that the application be approved.

### **SUMMARY RECOMMENDATION**

Approve with conditions

## **REASON FOR REFERRAL**

The application has been called to Committee by local ward member, Councillor Mick Warren, for the following reasons:

*“Inappropriate for a residential area, too close to current and future homes loss of amenity”*

## **DESCRIPTION OF SITE AND SURROUNDINGS**

The application site is in a mixed-use area of Macclesfield on the eastern side of Goodall Street. The application site is the site of a former industrial premises which has been demolished and has planning permission for the construction of offices, assisted living accommodation and housing, currently under construction. Several commercial and industrial properties lie to the west of the site, with a pub and residential properties to the north of the site, a former community activity centre to the east. To the south there will be residential properties as part of the development approved in 2018, with existing residential properties along Jodrell Street.

## **DETAILS OF PROPOSAL**

The applicant proposes to erect a 5m high lattice stub tower with dishes and antennas on top of an office building which is currently under construction. The total height from the ground to the top of the equipment would be 14m. The equipment would be used as telecommunications infrastructure.

## **RELEVANT PLANNING HISTORY**

17/6028M – Proposals for a mixed-use development comprising offices, assisted care living and residential – Approved – 15 May 2018

17/1986M - Proposed demolition of general industrial building (Anderson House) and the construction of 10.No terraced houses. – Withdrawn – 3 October 2017

15/0529M - Proposed Upgrade to Existing Base Station – Telecommunications – Approval not required – 30 March 2015

50036P – Extension to existing industrial building – Approved – 19 August 1987

34832P – Internal alterations and single storey extension at rear of premises – Approved – 7 October 1983

## **POLICIES/LEGISLATION**

### **Cheshire East Local Plan Strategy 2017 (CELPS)**

- MP1 Presumption in Favour of Sustainable Development
- SD1 Sustainable development in Cheshire East
- SD2 Sustainable development principles
- SE1 Design
- SE2 Efficient use of land
- SE4 Landscape
- SE7 Historic environment
- CO3 Digital connections

### **Macclesfield Borough Local Plan – saved policies (MBLP)**

- BE6 Macclesfield Canal Conservation Area
- E11 Mixed Use Areas
- DC3 Protection of the amenities of nearby residential properties
- DC60 Telecommunication Equipment

### **Other Material Considerations**

- National Planning Policy Framework (2019)
- National Planning Practice Guidance

## **SITE VISIT**

A site visit was carried out by the planning case officer on 18<sup>th</sup> August 2020.

## **CONSULTATIONS (EXTERNAL TO PLANNING)**

**Manchester Airport** - No aerodrome safeguarding objections. Informative recommended related to any tall equipment that may be used during the construction period.

**Head of Strategic Transport** - No material highway implications associated with the proposal. No objection.

## **OTHER REPRESENTATIONS**

Six objections have been received from neighbours. The main reasons for objecting can be summarised as follows (full comments can be viewed on the Council's website):

- The development will be visually obtrusive;
- There is currently an existing mast on the site that has been there for a number of years. It is unsightly and is currently on a partly-demolished wall. The existing mast has not been properly maintained, and future equipment may be treated similarly. The new equipment will be higher and will have additional antennas and dishes.
- The development may have an impact on the health of neighbouring residents.
- The area is residential, not industrial;
- The development will have an impact on property prices.
- The development will ruin the view from neighbouring properties and gardens;
- Not all households who would be able to see the development from their property were consulted on the application.

### **Officer Response**

- The following issues raised will be discussed in the officer appraisal below:
  - design and visual impact;
  - neighbour amenity; and
  - appropriateness of the proposal for the area.
- Issues such as an individual's loss of a view and reductions in property values are not material planning considerations in this case.
- The Town and Country Planning (Development Management Procedure)(England) Order 2015, Part 3, Article 15 (5) states that the application must be publicised giving required notice by site display in at least one place on or near the land to which the application relates for not less than 21 days; or by serving the notice on any adjoining owner or occupier. In this instance, adjoining neighbours were consulted via letter and a site notice was displayed outside the site.

## **OFFICER APPRAISAL**

### **Principle of development**

The application site lies within an area of Macclesfield that is designated as "Mixed Use". In accordance with Saved Policy E11 of the MBLP, within mixed use areas a range of uses may be permitted, including B2 (general industry), B1 (offices and commercial use), small scale warehousing and storage, retailing, visitor accommodation and tourist attractions, housing and open space, provided that the new use does not: conflict with other proposals of the plan, materially harm adjoining or nearby uses and in the case of housing, a satisfactory housing environment can be created.

The application site is the site of a former industrial premises which has been demolished and has planning permission for the construction of offices, assisted living accommodation and housing, currently under construction. Several commercial and industrial properties lie to the west of the site, with a pub and residential properties to the north of the site and a former community activity centre to the east. To the south there will be residential properties as part of the development approved in 2018, with existing residential properties along Jodrell Street.

Chapter 10 of the National Planning Policy Framework (2019), sets out the Government's general policy position supporting high quality communications infrastructure. Paragraph 112 states that, "Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections."

Paragraph 113 states "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 and camouflaged where appropriate."

Paragraph 114 states that "Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:

- a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
- b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services."

Paragraph 115 states "Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

- a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and
- b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or
- c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 116 states "Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators,

question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.”

Policy CO3 of the Cheshire East Local Plan Strategy states that “High capacity, leading edge digital communication networks will be supported in Cheshire East to meet the needs of businesses and communities, subject to the number(s) of radio and telecommunications masts (and sites for such installations) being appropriately located and kept to a minimum and consistent with the efficient operation of the network.” It also advises that “Developers will be required to work with appropriate providers to deliver the necessary physical infrastructure to accommodate information and digital communications (ICT) networks as an integral part of all appropriate new developments.”

Saved Policy DC60 of the Macclesfield Borough Local Plan provides detailed requirements for a variety of telecommunications equipment, including masts and satellite dishes. Of particular relevance to this application:

- “Masts or similar structures should normally be sited on existing buildings or structures”;
- “the provision of masts or similar structures, antennas or other telecommunications development will normally be permitted unless the proposal:
  - I. would adversely affect a Listed Building or its setting
  - II. would adversely affect the appearance of a building in a designated conservation area or would adversely affect the character of a conservation area;
  - III. would adversely affect an area of special county value for landscape;
  - IV. would be visually obtrusive and result in a significant impact upon visual amenity in either a rural or urban area.”
- “In determining applications regard will be had to relevant technical constraints.”

National and local policy support the provision of communication infrastructure within the borough. The site is in a mixed-use area, and while there are residential properties within the area paragraph 114 of the NPPF states that local planning authorities should not impose a ban on new electronic communications development in certain areas, or insist on minimum distances between new electronic communications development and existing development.

In accordance with paragraph 115 of the NPPF, consultation letters were sent to the town council, local ward councillor and member of parliament prior to submission of the application. The proposal would use an existing site, and a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection has been submitted with the application.

Planning history demonstrates that there has been telecommunications equipment at this site for several years, with an application in 2015 replacing an existing previous structure and evidence of a mast on the site from Google Streetview imagery at least from 2009. The building this equipment was attached to has now been demolished, and the applicant proposes to replace this with a new structure on the new building which is currently being constructed at the site. It is recognised that new equipment may be required to replace existing equipment that may be lost through the redevelopment of a site, and that masts may need to be redeveloped or replaced to enable an upgrade in services to take place.

The proposal is therefore considered to be acceptable in principle, subject to its compliance with the rest of the development plan.

## **Design**

CELPS policy SD2 notes that development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, choice of materials, external design features, massing of development, and relationship to neighbouring properties, street scene and the wider neighbourhood.

A Code of Best Practice has been developed for mobile network development in England and published in November 2016. It has been developed by a working group consisting of representatives of Arqiva; the Department for Communities and Local Government; the Department for Culture Media and Sport; the Department for Environment, Food and Rural Affairs; Historic England; the Local Government Association; Mobile UK (representing the Mobile Network Operators); Landscapes for Life; National Parks England; and the Planning Officers Society.

As indicated in the code of best practice *“radio signals operate like light and must “see” over the target coverage area, they cannot be hidden and so there will always be a degree of visual impact.”* While it is good practice to ensure that visual impact is reduced where possible, telecommunications equipment of this type will cause some visual impact. Therefore, the main issue to be discussed is whether the siting and appearance of the proposed equipment would have such a negative visual impact that it would warrant a refusal.

The proposal would have a greater visual impact than the previous structure on the site. There would be an increase in the elevation of the structure on the new building, with an increase in total height from the ground from approximately 12m to 14m. The style of the structure would also change from a narrow monopole to a lattice stub tower with dishes and antennas. The applicant has advised that new technology, such as 5G, require different infrastructure than previous generations to provide connectivity. Wherever possible, existing installations would be utilised to accommodate the necessary infrastructure, but in certain cases the upgrade of services would require a dual pole solution for sites which currently have a single pole design. Due to the beamforming technology required for 5G service, the antenna height in many cases must be greater than for previous generation technology. During the course of the application, the applicant has reduced the width of the headframe and the lattice tower to minimise impact on the surrounding area, while meeting technical requirements.

In accordance with the National Planning Policy Framework, planning decisions should support the expansion of electronic communications networks. As previously established, it is expected that in general, monopoles, antennas and associated equipment will have some visual impact. In this instance, it is considered that the proposal will have a visual impact due to its height and design. However, it is not considered that the equipment will appear incongruous in the urban environment, where utilities are present to serve the population and are often visible. The siting of the proposed equipment towards the rear of the site, adjacent to the former industrial unit recently used as an activity centre and opposite commercial units, would also help the equipment to blend into its surroundings. While the equipment would be visible, it is not considered that the impact would be so harmful as to warrant a refusal.

## **Heritage**

Policy SE7 of the CELPS seeks to protect the heritage assets of the Borough. While the site is not in any conservation area or adjacent to a heritage asset, due to the total height of the

structure it is possible that there would be impacts on surrounding heritage assets, including Grade II Listed Union Mill; Grade II Listed Church of St Paul, Macclesfield Canal Conservation Area and the listed bridges on the canal.

A heritage statement has been submitted in support of the application which explores the significance of these buildings and structures, and the impact of the proposed development on their significance.

The assets are a substantial distance from the proposal site, and due to the dense urban environment, views within the townscape would be predominantly obscured by existing intervening development between the site and these heritage assets. Due to the lack of contribution of the site to the significance of the heritage assets, and the lack of visibility of the proposed tower in views of or from the heritage assets, it is not considered that there would be any harm to the significance of these heritage assets.

The Council's built conservation officer has reviewed this information, and advises that if any harm to Union Mill and the limited wider view, this is less than significant and should be taken in regard to any public benefit that the scheme produces. Any views are remote and minimal and the proposed tower does not affect the immediate setting or character of the Mill. The built conservation officer does not believe that, given the dense urban footprint, the proposed tower will be seen from the general canal area. There may still be views from the bridges, but they will be minimal and lost in the general roof tops. The built conservation officer has no objections with regards to the heritage impacts of the proposed development. The proposal is therefore considered to comply with policy SE7.

### **Living Conditions**

Saved policy DC3 of the Macclesfield Borough Local Plan (MBLP) states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to loss of privacy, overbearing effect, loss of sunlight and daylight, noise, vibration, smells, fumes, smoke, soot, ash, dust or grit, environmental pollution, hazard substances and industrial processes, traffic generation, access and car parking. Saved policy DC38 of the MBLP provides guidelines for separation distances.

There are residential properties around the site, including: to the north along Brook Street; being developed to the south following approval of application 17/6028M in 2018 and beyond this development along Jodrell Street; to the east beyond the former activity centre along Swettenham Street.

Paragraph 116 of the Framework states "Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure."

The applicant has submitted a certificate of the declaration of International Commission on Non-Ionizing Radiation Protection (ICNIRP) compliance with the application, certifying that the site is designed to be in full compliance with the requirements of the radio frequency guidelines of the ICNIRP for public exposure as expressed in the EU Council recommendation of July 1999.

Due the open nature of the equipment, it is not considered that the proposal will harm neighbouring residents with regards to loss of sunlight and daylight. The equipment will be viewed within the context of the built form of the site and it is not considered that this will have an overbearing impact on neighbouring residents.

## **CONCLUSIONS**

The proposal would be acceptable in principle. While there would be a degree of visual impact, this is not unusual for service infrastructure and this impact has been minimised through its siting. There would be no harm to surrounding heritage assets. The proposed development would deliver significant public benefit. It is recommended that the application be approved subject to the following conditions:

1. Time Limit: standard three years
2. Development in accordance with approved plans
3. Materials as application

*In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.*

