

At a meeting of the DEVELOPMENT CONTROL (NORTH SUNDERLAND) SUB-COMMITTEE held in the CIVIC CENTRE on TUESDAY, 12TH MAY, 2009 AT 3.30 P.M.

Present

Councillor D. Wilson in the Chair

Councillors Bell, D. Forbes, Howe, J. Walton and L. Walton

Declarations of Interest

There were no Declarations of Interest.

Apologies for Absence

Apologies for absence were submitted to the Committee on behalf of Councillors Blackburn, Fletcher, T. Martin and D. Smith.

Applications made under the Town and Country Planning Acts and Regulations made thereunder

The Director of Development and Regeneration submitted a report, a supplementary report and a report for circulation (copies circulated) relating to the North Sunderland area, copies of which had also been forwarded to each Member of the Council upon applications made thereunder.

(For copy report – see original Minutes)

Jamie Reed, Senior Planner, advised Members that Application No. 08/04747/FUL had been withdrawn as stated in report for circulation, therefore consideration moved to:-

09/01303/TEX – Erection of 1 No. 12.5m street works column, to include installation of 1 No. ground based cabinet and ancillary equipment (cell i.d. 040051) - Grass verge to the front of the Fairview Public House, Newcastle Road, Sunderland.

Councillor J. Walton commented that he objected to the application and suggested the mast be located nearer the cemetery.

Councillor J. Walton also commented that the proliferation of masts in the area needed to be looked at with two masts there already and enquired as to why the companies do not share masts.

Mr. Reed advised that a number of sites, as set out in the report, had been given a significant amount of consideration by the directorate and that the mast would not look out of place with the street furniture of the proposed site.

Mr. Reed also advised that if companies were to mast share, the technical requirements would result in the mast being higher and wider, or a lattice tower, which would be more visually intrusive to the area.

Councillor Howe referred to the Stewart report and enquired as to the cautionary approach to siting masts in residential areas.

Mr. Reed referred to other mast site locations that had been approved, such as Dovedale Road, Thompson Road junction and that the proposed site was a far better site than those already approved.

Councillor N. Wright, who was also in attendance and spoke on behalf of the Councillors and residents of the Southwick Ward, objected to the application due to the amount of masts within such close proximity and also that the masts should be shared.

The mast would not fit in with the street furniture and that consideration should be given to the fact the nearby pub regularly hold children's parties.

Councillor N. Wright also suggested the mast be moved further back, where there was plenty of open space.

Mr. Reed advised that the new masts operate on a 3G system, which operates on a higher frequency, resulting in the need for more masts.

Keith Lowes, Head of Planning and Environment, advised that the open space land that Councillor N. Wright referred to was Council owned and that there were policies in place which excluded the use of it.

Mr. Bob Price, an objector, spoke on the application and raised the following concerns:-

- If the application were to be approved, what would prevent mobile phone companies using this judgement as precedence to seek approval to erect masts along other streets within the City.
- What would prevent other mobile phone companies appealing any future or past judgement to overturn a refused planning application for their phone mast on the public highway which was in close proximity to a rival.

- The area had been reclaimed and landscaped for a park like area, which in time could attract wildlife. This application could lead to the detracting and undermining of this work.
- Mr. Price urged the Council to rethink its moratorium of allowing masts in its land and buildings.

Mr. Reed advised that the general context of the location was considered and the application would be of no harm to the visual appearance so was considered to be an appropriate site.

Councillor Bell commented that many people have mobile phones and complain of poor signals, so the masts would be needed.

Councillor J. Walton commented that he rarely has had a poor signal and believed it was now about competition between the phone companies. Councillor J. Walton proposed the application be rejected with another location sought.

Mr. Lowes and Jenifer Clifford, Solicitor, advised that if Members were to go against officers' advice and reject the application without sufficient reason, the Council could lose at appeal and be responsible for costs.

The Chairman then asked Members to vote on the approval of the application. Three Members voted in favour of the application and three voted against. As the Chairman had the casting vote , it was therefore:-

1. RESOLVED that:-

- (i) 09/01303/TEX – Erection of 1 No. 12.5m street works column, to include installation of 1 No. ground based cabinet and ancillary equipment (cell i.d. 040051) – Grass verge to the front of the Fairview Public House, Newcastle Road, Sunderland

The application be approved for the reasons set out in the report and subject to the two conditions contained therein.

Town and Country Planning Act 1990 – Appeals

The Director of Development and Regeneration submitted a supplementary report (copy circulated) concerning the appeals received and appeals determined for the period of 1st March, 2009 to 31st March, 2009.

(For copy report – see original minutes).

2. RESOLVED that the report be received and noted.

(Signed) D. WILSON,
Chairman.