

Planning Committee Report

Chairman: Cllr Colin Parker

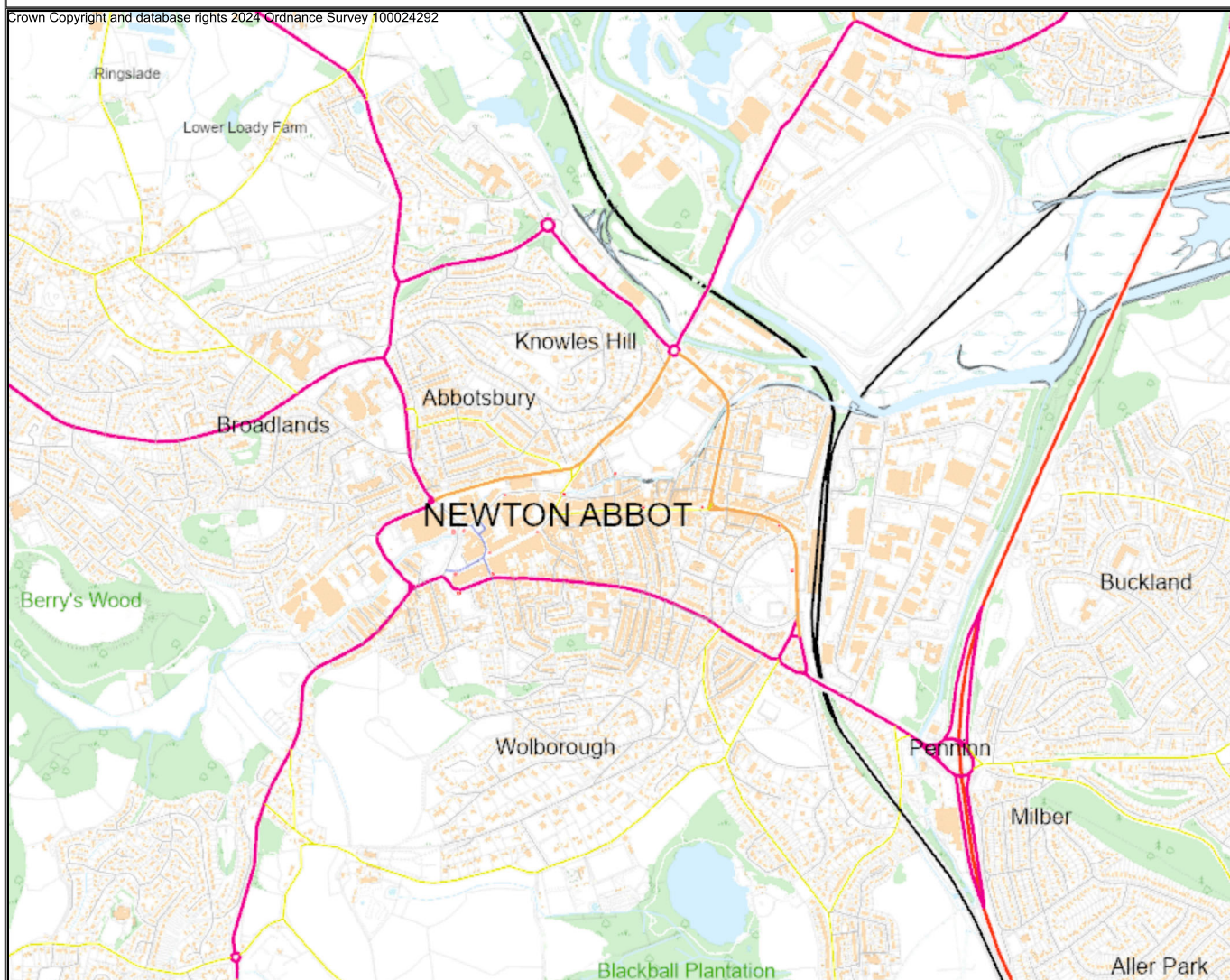
Date	17 December 2024
Case Officer	Artur Gugula
Location	Various Sites Around Newton Abbot Devon
Proposal	Installation of Pulse Smart Hubs with integrated digital screens
Applicant	Mr O Smith
Ward	Buckland And Milber
Member(s)	Cllr Mike Ryan, Cllr Alex Hall, Cllr Colin Parker
Reference	24/00814/FUL



[Online Details and Documents](#)

RECOMMENDATION: PERMISSION GRANTED

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1. REASON FOR REPORT

This application has been called-in to Planning Committee by the Ward Member should the application be recommended for approval for the following reason:

- It is felt that the proposals would be out keeping with the local street scene.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. The development hereby permitted shall begin before the expiry of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application form and the following approved plans:

Date Received	Drawing/reference number	Description
21 May 2024	NEWABB-O12-KR/2024/01	Site Location Plan
21 May 2024	NEWABB-O12-KR/2024/02	Existing Site Plan
21 May 2024	NEWABB-O12-KR/2024/03	Proposed Site Plan
21 May 2024	NEWABB-O12-KR/2024/04	Proposed Elevations/Technical Specification
21 May 2024	NEWABB-O11-CR/2024/01	Site Location Plan
21 May 2024	NEWABB-O11-CR/2024/02	Existing Site Plan
21 May 2024	NEWABB-O11-CR/2024/03	Proposed Site Plan
21 May 2024	NEWABB-O11-CR/2024/04	Proposed Elevations/Technical Specification
21 May 2024	NEWABB-009-WS/2024/01	Site Location Plan
21 May 2024	NEWABB-009-WS/2024/02	Existing Site Plan
21 May 2024	NEWABB-009-WS/2024/03	Proposed Site Plan
21 May 2024	NEWABB-009-WS/2024/04	Proposed Elevations/Technical Specification
21 May 2024	NEWABB-008-HS/2024/01	Site Location Plan
21 May 2024	NEWABB-008-HS/2024/02	Existing Site Plan
21 May 2024	NEWABB-008-HS/2024/03	Proposed Site Plan
21 May 2024	NEWABB-008-HS/2024/04	Proposed Elevations/Technical Specification
21 May 2024	NEWABB-007-ES/2024/01	Site Location Plan
21 May 2024	NEWABB-007-ES/2024/02	Existing Site Plan
21 May 2024	NEWABB-007-ES/2024/03	Proposed Site Plan

21 May 2024	NEWABB-007-ES/2024/04	Proposed Elevations/Technical Specification
21 May 2024	NEWABB-006-CS/2024/01	Site Location Plan
21 May 2024	NEWABB-006-CS/2024/02	Existing Site Plan
21 May 2024	NEWABB-006-CS/2024/03	Proposed Site Plan
21 May 2024	NEWABB-006-CS/2024/04	Proposed Elevations/Technical Specification
21 May 2024	NEWABB-005-BS/2024/01	Site Location Plan
21 May 2024	NEWABB-005-BS/2024/02	Existing Site Plan
21 May 2024	NEWABB-005-BS/2024/03	Proposed Site Plan
21 May 2024	NEWABB-005-BS/2024/04	Proposed Elevations/Technical Specification
21 May 2024	NEWABB-003-NW/2024/01	Site Location Plan
21 May 2024	NEWABB-003-NW/2024/02	Existing Site Plan
21 May 2024	NEWABB-003-NW/2024/03	Proposed Site Plan
21 May 2024	NEWABB-003-NW/2024/04	Proposed Elevations/Technical Specification
28 Nov 2024	NEWABB-00-MLP-2024-01_REVB	Master Site Location Plan

REASON: In order to ensure compliance with the approved drawings.

3. Prior to commencement of any work to locations numbered 005, 006, 007, 008, and 009 as identified on the Master Site Location Plan reference NEWABB-00-MLP-2024-01_REVB hereby approved, a scheme for the removal of the existing information boards at these locations shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- (a) timetable for removal of the information of the boards;
- (b) details of the manner in which the boards will be removed, and;
- (c) details of the manner in which the ground will be made good (including surfacing materials).

The development shall then be carried out in accordance with the approved details.

REASON: In the interest of ensuring that the street furniture clutter is not increased as a result of the development within a setting of listed buildings and in Conservation Areas.

4. Prior to any of the hubs hereby approved becoming operational, a scheme for the management, maintenance, repair, and removal if hubs cease to operate for each of the hubs shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be maintained and retained in accordance with the approved details.

REASON: In the interest of ensuring that the hubs remain in good working order for the benefit of the public and to ensure that their appearance is maintained.

5. The screens located on elevations 'A' and 'D' of each of the hubs as identified on all Proposed Elevation/Technical Specification drawings hereby approved shall be fully turned off and shall not be operational between the hours of 12:00am and 06:00am Monday to Sunday.

REASON: In the interest of mitigating against disturbance to the residential amenity of the surrounding properties resultant from illumination of the digital screens.

6. The screens located on elevations 'A' and 'D' on each of the hubs as identified on all Proposed Elevation/Technical Specification drawings hereby approved shall be operated and maintained in strict accordance with the approved 'Lighting level' section of the Design, Management & Operational Statement (page 39).

REASON: In the interest of mitigating against disturbance to the residential amenity of the surrounding properties resultant from illumination of the digital screens.

3. DESCRIPTION

The site and description of proposal

- 3.1. The proposals are located in various locations spread around the centre of Newton Abbot. These are listed in detail below. It shall be noted that the numbering of locations is out of sequence as some have been removed from the proposal – it was felt that the numbering should remain consistent throughout the life of the application to avoid confusion.

Location: No 003 – Pavement Adjacent to Newfoundland Car Park

Nearby Heritage Assets:

- Nearby Newton Abbot Wolborough Street Conservation Area (35m to west)
- Nearby Grade II Listed buildings (50m to west and 65m to north-east)

Location: No 005 – Pavement Adjacent to Austins

Nearby Heritage Assets:

- Immediately adjacent to Grade II Listed building (Austins)
- Nearby to Grade II* Listed building (St Leonard's Tower (40m to west)
- Nearby to Grade II Listed buildings (on all sides)
- Nearby Newton Abbot Wolborough Street Conservation Area (30m to west)

Location: No 006 – Pavement Adjacent to 40 Courtenay Street

Nearby Heritage Assets:

- None

Location: No 007 – Pavement on East Street

Nearby Heritage Assets:

- Nearby Newton Abbot Wolborough Street Conservation Area (5m to west)

- Nearby Grade II Listed buildings (5m to west, 20m to south, and 25m to north)

Location: No 008 – Pavement on Highweek Way

Nearby Heritage Assets:

- Nearby Grade II Listed Buildings (35m to north and 35m to north-west)
- Nearby Newton Abbot Wolborough Street Conservation Area (100m to south)

Location: No 009 – Pavement Adjacent to 23-27 Wolborough Street

Nearby Heritage Assets:

- Adjacent to Newton Abbot Wolborough Street Conservation Area (5m to north)
- Nearby Grade II Listed Buildings (50m to west and 40m to east)
- Nearby to Grade II* Listed building (St Leonard's Tower (75m to east)

Location: No 011 – Pavement Adjacent to Cricketfield Road Car Park

Nearby Heritage Assets:

- None

Location: No 012 – Pavement on Kingsteignton Road

Nearby Heritage Assets:

- Nearby Grade II Listed Building (60m to south-west)

- 3.2. The proposal involves the installation of 8 'Pulse Smart Hubs' within the above pavement/pedestrian locations in Newton Abbot. The number of the hubs has been initially reduced from 14 to 9, and then to 8. The hubs measure approximately 2.54m high, 1.28m wide, and 0.35m deep. They comprise of large digital screens capable of showing moving advertising. The casing is made of black and red fibreglass. The side of each hub would feature a user interface with a touch screen. The glazing would be 4mm + 1mm + 4mm toughened glass. The foundation of the hubs would be between 400mm and 550mm deep.
- 3.3. The purpose of the hubs is to provide digital information, advertising, communication, Wi-Fi connectivity power point (for charging phones), and emergency health support and contact (in the form of a defibrillator, drug overdose medication and 999 calls). The design, material, colour, and large digital advertising screen are modern in their appearance and nature. It is proposed that the existing information boards will be removed and replaced with the hubs in the following locations nos. 005, 006, 007, 008, and 009.
- 3.4. All of the hubs would be located within the South Hams SAC Landscape Connectivity Zone. All of the hubs (except no.003) are located within Flood Zone 3.
- 3.5. Hub nos. 001,002,004, 008,010,013, and 014, which initially were included as part of this application submission, have been removed from the proposal following feedback from consultees and Officers.

Relevant planning history

24/00815/ADV - Installation of Pulse Smart Hubs with integrated digital screens –
PENDING CONSIDERATION (Corresponding advert consent)

Principle of development

- 3.6. The proposal is located within the defined settlement limits of Newton Abbot. Policy S21A sets out that development will be permitted where it is consistent with the provisions of the Local Plan. As such, providing that other relevant policies are complied with (which will be assessed further in the report), the principle of the development proposed is considered acceptable in this location.

Assessment of impacts on heritage and character of the area

- 3.7. Given the scattered nature of the proposals in 8 different locations, the impacts of the visual appearance of the area and relevant heritage assets are assessed for each hub in turn as below.

Location: No 003 – Pavement Adjacent to Newfoundland Car Park

- 3.8. The site has a backdrop of railings and trees and the car park itself, together with the buildings to the rear of it. There is a glazed street map and a public information board close by, as well as a covered car park pay station and a small utility building in close proximity to the site of Hub 3. In this location and with this backdrop, the hub would not appear visually intrusive but would have an acceptable impact upon the street scene and public amenity.
- 3.9. The proposal, by virtue of its distance to nearby heritage assets and location amongst various similar or larger electrical equipment and street furniture (telecoms mast, telecoms boxes, electrical boxes, lamp post, signage etc), is not considered to have an adverse impact on the wider setting of the nearby Conservation Area or listed buildings.

Location: No 005 – Pavement Adjacent to Austins

- 3.10. Hub 5 is to be located outside the Austins Department Store, replacing an existing totem sign, a few metres from the department store.
- 3.11. The buildings surrounding the site are principally three or four storey in height. They are a mix of retail units and Class E uses. While grey and white are the principle colours of the adjacent Austins buildings (there are two of them, one either side of Bank Street), there is a greater variety of colour to the buildings along Bank Street, Wolborough Street and East Street. The limited colours of the hub are such that it would not appear as an intrusive addition to the street scene but would preserve the character and appearance of the area.
- 3.12. In respect of the surrounding heritage assets, the hub would be sited in a location with other similar street furniture clutter (which includes non-digital information/advertising box, phone box, triple refuse bin, electrical box, and two lamp posts), and advertising on the adjacent Austins building. The addition of a pulse hub in this high street location is therefore considered to have limited further impact – and which would be mitigated further through removal of the existing information/advertising box. Nevertheless, the level of impact to the setting and

wider setting of the nearby heritage assets is deemed to be negligible or minor at most. The various public benefits of the pulse hub are considered to outweigh the lower level of less than substantial harm to the setting of the listed buildings and setting of the nearby Conservation Area, and there do not appear to be any nearby more appropriate locations to site the pulse hub in this area.

Location: No 006 – Pavement Adjacent to 40 Courtenay Street

- 3.13. Hub 6 is to be located outside the Howden Insurance Group Building, near the junction of Courtenay Street and Union Street, replacing an existing totem sign.
- 3.14. The hub would be located fairly centrally between the rows of shops either side of this pedestrianised part of the town centre. There are a few street trees near the proposed hub but little additional street furniture. Given the variety of shop frontages and colours in the vicinity of the site, the proposed hub would not have a harmful or detracting impact, particularly as it would be replacing an existing totem sign. The limited colours of the hub are such that it would not appear jarring or visually intrusive in this setting. The effect of the proposed hub on the street scene would be acceptable.
- 3.15. There are no nearby designated heritage assets which would be affected by the proposal.

Location: No 007 – Pavement on East Street

- 3.16. Hub 7 is to be located to the rear of Austins Department Store, opposite the Union Inn Public House along East Street. It would replace an existing totem sign. The buildings in the vicinity of the site are between two and four storey in height. They are a mix of town centre uses. There is a limited palette of colours present in the immediate street scene, mainly white, grey and pale blue. The limited colours of the hub are such that it would not appear as an intrusive addition to the street scene but would preserve the character and appearance of the area.
- 3.17. Although close to the adjacent Conservation Area and listed buildings within, the proposed location is where an existing information/advertising box is (to be removed) and next to a double bin and bench. It is also on the side of the street away from the Conservation Area and viewed against the backdrop of more modern development in the form of the later addition to Austins.
- 3.18. The impact to the wider setting of the adjacent Conservation Area and listed buildings is therefore considered to be negligible or minor at most. Again, the various public benefits of the pulse hub are considered to outweigh the lower level of less than substantial harm to the setting of the listed buildings and setting of Conservation Area, and there do not appear to be any nearby more obviously appropriate locations to site the pulse hub in this gateway area to the main high street.

Location: No 008 – Pavement on Highweek Way

- 3.19. Hub 8 is to be located opposite the Newton Abbot Library, at the junction of Market Street and Highweek Way, immediately adjacent to some trees and bushes. It would replace an existing totem sign. The buildings in the vicinity of the site are between two and four storey in height, in a mix of town centre uses. The site is in an open setting, it being located adjacent to a large, predominantly pedestrianised area

to the front of the Asda Supermarket car park. There is a limited palette of colours present in the immediate area. The limited colours of the hub are such that it would not appear as an intrusive addition to the street scene but, together with its limited size, would have an acceptable impact upon the streetscene.

- 3.20. The site is not particularly close to the nearest listed buildings, which also lie on the opposite side of the road, and the Conservation Area is a greater distance away – with the site not providing any meaningful wider setting or the proposal having potential impact to this. Furthermore, the proposed location is where an existing information/advertising box is (to be removed), and next to a triple bin and lampposts, whilst sited against the backdrop of a non-listed building.
- 3.21. Thus, there is not considered to be any material impact to the wider setting of nearby listed buildings or to the Conservation Area.
- 3.22. This site also appears to be an ideal location for such a hub; at the intersection of crossroads and pavement with high footfall and opposite the library.

Location: No 009 – Pavement Adjacent to 23-27 Wolborough Street

- 3.23. Hub 9 is to be located opposite Carpetright, replacing an existing totem sign. The buildings in the vicinity of the site are between two and three storey in height, in a mix of town centre uses. The site is in a reasonably open setting, being located in a fairly wide pedestrianised street. The palette of colours present in the immediate area is limited; the limited colours of the hub are such that it would not appear as an intrusive addition to the street scene but, together with its limited size, would have an acceptable impact.
- 3.24. Although adjacent to the Conservation Area, this is a part of the Conservation Area which relates solely to the pedestrianised road and does not include any buildings; essentially connecting the main historic areas to its east and west and having little value itself. The proposed siting of the hub is also within a line of trees, lamp posts, bins and benches, in a location whereby an existing information/advertising box already exists (to be removed). Thus, the proposed hub is not considered to have a material impact on the setting of the Conservation Area. Additionally, the nearest listed buildings are some distance away, and the siting of the proposed hub is not within a location whereby these listed buildings are viewed / appreciated.
- 3.25. Thus, there is not considered to be any material impact to the wider setting of nearby listed buildings or to the setting of the Conservation Area.

Location: No 011 – Pavement Adjacent to Cricketfield Road Car Park

- 3.26. Hub 11 is to be located adjacent to the Cricket Field Car Park, at its south-western corner, at the junction of Cricket Field Road and Marsh Road. Sited adjacent to a car park, the site is fairly open. The nearest buildings on the opposite side of Cricket Field Road and Marsh Road are two or two and a half storeys in height, in a limited palette of colours. There are two covered, pay station structures near the site of the proposed hub. Considering the backdrop of the car park, the nearby structures and buildings, and its limited size and visual impact, the hub would have an acceptable impact upon the streetscene and the character of the area.
- 3.27. There are no nearby designated heritage assets which would be affected by the proposal.

Location: No 012 – Pavement on Kingsteignton Road

- 3.28. Hub 12 is to be located on the bridge across the road from Sherbourne House and the Sherbourne Road Car Park. Sited adjacent to the river but among buildings of up to three and a half storeys in height, in a variety of colours of building materials; the proposed hub would have an acceptable impact upon the streetscene due to its limited size and visual impact,
- 3.29. In respect of heritage assets, the proposal is considered not to have any material impact to the wider setting of the nearest or any other listed buildings in the larger area by virtue of separation distance.

Character of the area summary

- 3.30. As set out above in consideration of the location of each hub, it is concluded that the proposals would not have an unacceptable impact on the character of the area, and thus would comply with provisions of Policies S1 and S2 of the Local Plan and Policy NANDP2 of the Neighbourhood Plan.

Heritage impact summary

- 3.31. The proposed hubs are considered to offer significant public benefit through their information sharing features, digital wayfinding, access to defibrillator, access to drug overdose treatment medicine, emergency safety button, emergency services call button, free Wi-Fi and calling. This benefit is considered to outweigh any minor heritage impact as described above for each hub, deemed to be the at the lower level of 'less than substantial.' As such the scheme is considered in compliance with paragraphs 200, 201, 205, 206 and 208, Policy EN5 of the Local Plan and Policy NANDP11 of the Neighbourhood Plan.
- 3.32. It is considered appropriate to recommend a condition requiring the submission of a scheme for removal of the existing information boards/totems to ensure that such is undertaken in a timely and appropriate manner.
- 3.33. In coming to this decision, the council must be mindful of the duty as set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed buildings and conservation areas, its setting and features of special architectural or historic interest which it possesses, and have given it considerable importance and weight in the planning balance.

Residential amenity

- 3.34. The locations of the proposed hubs are within the town centre of Newton Abbot. While there are residential properties above many of the shops in close proximity to their locations, it is not considered that the hubs would have an adverse impact upon residential amenity due to their limited degree of luminance and their siting in relation to those properties. The submitted Design, Management & Operational Statements sets out that the illuminance levels from the hub screens would always remain within the Institute for Lighting Professionals guidelines. In consultation with TDC Environmental Health department, it is concluded that in order to control the disturbance and annoyance resultant from the hubs to nearby properties, it is appropriate to recommend a condition which would ensure that the screens are turned off between 12am and 6am every day. Visual intrusion and harm to the

outlook of the occupiers of the nearby residential properties would not arise from the hubs due to their small scale and distance to any residential properties.

Biodiversity

- 3.35. The proposals are exempt from mandatory Biodiversity Net Gain – this point is covered in more detail further within this report.
- 3.36. Due to their urban locations the proposals would not have any direct impact and would not result in any loss of habitats and biodiversity.
- 3.37. It is acknowledged that all of the locations are in the South Hams SAC Landscape Connectivity Zone designated for commuting opportunities for the greater horseshoe bats, however the proposals would not affect any linear features such as hedges which would disturb commuting routes. Similarly, owing to their urban locations it is unlikely that the presence of light sensitive bats would occur in these locations which are already significant lit up during the night. As such it is considered that the proposals would not result in any unacceptable light spill which would affect the light-averse species.

Trees

- 3.38. Only one of the proposed hubs (Hub 3, opposite Carpetright facing Newfoundland Way Car Park) would potentially impact upon trees. However, the hub would be sited sufficiently far from them (around 5m) that, with the limited depth of foundations (between 400mm and 550mm deep), it would not harm these trees.

Highways

- 3.39. The proposed hubs are to be sited on pavements rather than the roads themselves. The County Highway Authority has assessed the application and has not raised any objection to it from a highway safety point of view. In addition, the hubs have been positioned as to not impede pedestrian and cycle (where relevant) access. Consequently, the proposal is considered acceptable in the context of highway and traffic safety.

Drainage and flood risk

- 3.40. It is acknowledged that 7 out of the 8 hubs are located within Flood Zone 3 (high risk of flooding). There was no flood risk assessment or drainage scheme submitted for the hubs. However, a pragmatic approach is deployed here – a flood risk assessment and a drainage scheme are considered not necessary in this instance. The footprint of each hub would not exceed 0.5 sqm and it would be located within an existing impermeable area. As such, it is considered that the proposal would not result in flood risk increasing at hub locations or elsewhere. Any surface water resultant from the development would be accommodated within the existing drainage system serving the pedestrian areas.

Climate change impact

- 3.41. Due to the small-scale nature of the proposals, it is considered that the operational impact on carbon emissions would be low. The applicant has confirmed that the hubs will be powered via connection to the grid, however all energy is sought from a 100% renewable sources. The materials used are stated to be sustainable and

recyclable with 80% of all metals used sourced from recycled metals. The screens are energy efficient to reduce power usage (via light sensors to adjust brightness during dusk and dawn). Overall, bearing the above in mind the proposal is considered to be acceptable in respect of carbon and climate change impacts, whilst also taking into account the public benefits resultant from the installation of the hubs.

Designing Out Crime

- 3.42. The comments of the Designing Out Crime Officer are noted. While it may be preferable that all of the hubs be covered by existing CCTV, it is not considered necessary given their town centre locations.
- 3.43. The Designing Out Crime Officer is satisfied that the hubs be fitted with their own CCTV in terms of safety and recommends that a management plan regarding their servicing and maintenance is produced. While it has been requested that these be conditioned, it is not considered necessary to condition the provision of CCTV in the hubs as they would be installed with CCTV anyway (albeit this would not be operational 24/7). A condition regarding the servicing and maintenance of the hubs is however considered reasonable to ensure that they are kept in good order and maintain an acceptable impact on the street scene.
- 3.44. With regard to the privacy concerns raised by members of the public, the agent for the application has confirmed that the operation of the hubs fully complies with the General Data Protection Regulations (GDPR) and privacy laws. The only camera that actively records is located just above the touch screen. It is not a 24-hour camera but is triggered solely when the emergency button is pressed. During recording, a clear message is displayed on the screen notifying users that recording is in progress. The recordings are stored locally for a maximum of seven days and are automatically deleted unless the Police request the footage within that timeframe. There is also a feature called the Vulnerable Person Emergency Protocol, whereby the hub notifies the Police CCTV room when the emergency button is pressed. This allows police officers to immediately view the hub and its surroundings. The camera is a wide angled camera that captures anyone in need who is standing in and around the front of the touch screen. The Vulnerable Person Emergency Protocol does not require external CCTV to work but where a town has CCTV in the centre, further measures have been implemented where the CCTV room is immediately notified of the emergency button being pressed and the external CCTV can then get the city centre cameras focussing on all activity around the hub and neighbouring streets. As Newton Abbot has CCTV in the town centre, it is intended to work with the Police and partners to implement the same initiative, where possible.
- 3.45. There are also cameras above the hubs' screens which are not used for recording but are in place for potential footfall counting. This would operate without capturing or storing any personal data. The hubs would not record biometric data. The footfall counting data would comply with the GDPR by not collecting identifying information but it being anonymous data, based on sensors. The agents for the application have stated that the Town Council would be notified of any significant changes to the technology in the hubs over time that may require formal public consultation.

Other matters

- 3.46. A number of objections have been raised to the proposed development. In terms of the concerns regarding radiation from the hubs, the agent for application advises that the company that would install the hubs is committed to adhering to relevant government regulations and industry guidelines; specifically, they would comply with the principles set by the International Commission on Non-Ionizing Radiation Protection for public exposure levels. The hubs would not cause any significant interference with other radio systems, electrical equipment or national air traffic services or health issues.
- 3.47. The concerns raised about the ability of smaller local businesses to be able to advertise on the hubs are noted, however this is an issue between those businesses and the operators of the hubs. Whether there are other options to provide the services proposed in the hubs is not known.
- 3.48. It is not known that the hubs would add to global warming or carbon dioxide emissions, or have an adverse impact upon air quality, in a manner greater than any comparable structure or piece of technology.
- 3.49. It is not considered that there is a conflict of interest in the application with Newton Abbot Town Council being a joint applicant as the case is determined by the District Council as the Local Planning Authority, and not the Town Council. The application (including the reduced number of hubs) has been properly advertised by site notices and letters.

Planning balance and conclusions

- 3.50. In conclusion, the proposals are considered to be compliant with the provisions of the Local and Neighbourhood Plans. It is acknowledged, that some very minor harm would be resultant from the development in respect of impact on heritage assets, however this is outweighed by the public benefits (this includes public access to information sharing features, digital wayfinding, access to defibrillator, access to drug overdose treatment medicine, emergency safety button, emergency services call button, free Wi-Fi and calling) of the proposals. As such, in the absence of any other relevant material planning considerations to indicate otherwise, approval is recommended.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033 (2014)

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

EN5 Heritage Assets

EN8 Biodiversity Protection and Enhancement

EN11 Legally Protected and Priority Species

EN9 Important Habitats and Features

Teignbridge Local Plan 2020-2040 ('the emerging Local Plan')

Teignbridge Local Plan 2020-2040 was published on 14 March 2024 and is undergoing public examination. The National Planning Policy Framework sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation, the

extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework. The following emerging policies in particular are considered relevant to the proposed development:

DW1: Quality Development
DW2: Development Principles
DW3: Design Standards
H12 Residential Amenity
EN6 Flood Risk and Water Quality
EN11 Important Habitats and Features
EN15 South Hams SAC

Newton Abbot Neighbourhood Development Plan 2016-2033 (June 2016)

NANDP2 Quality of Design
NANDP3 Natural Environment and Biodiversity
NANDP11 Protection of Designated and Non Designated Heritage Assets

National Planning Policy Framework
National Planning Practice Guidance

5. CONSULTEES

TDC Conservation Officer

Following comments made – no objection overall:

- Sitting of the hubs is considered justified.
- Hub in location No.1 should be re-located to outside of the Conservation Area (note that this has now been removed from the application altogether).
- Clarification and conditioning of the removal of existing information boards to be replaced by the hubs.

DCC Highways

No objections.

Designing Out Crime Officer

No objection to the proposal with comments as below:

- The reduction in the number of hubs is supported. However, it is recommended that hubs 1 and 9 are considered for removal as it is preferable that all hubs are covered by existing CCTV (note that these have in fact been removed from the proposals)
- It is supported that all hubs will be fitted with CCTV. A condition regarding this is requested.
- It is recommended that a management plan regarding servicing and maintenance schedules be produced for the hubs. This should be conditioned too.

TDC Environmental Health (Nuisance)

Conditions to secure the following recommended:

- The advertising boards to not operate between 00:00 (midnight) and 06:00.

- Lighting levels need to adhere to the Institute of Lighting Professionals limit levels as set out in the design and access statement.

6. REPRESENTATIONS

At the time of compiling this report, there have been 9 letters of objection and 8 letters of support submitted for this application.

The letters of objection have raised the following issues (in no particular order):

- The ICNIRP guidelines are irrelevant with regards to protecting public health from biological effects and long-term exposure.
- This form of radiation resultant from the development and the ICNIRP guidelines raises a number of health and safety concerns.
- The Bio Initiative Working Group reviewed thousands of scientific papers that show biological harm from such radiation emissions. This group of experts calls for the precautionary approach and urgent action due to chronic EMF-related diseases that are a potential risk for everyone.
- Public officials are called upon to reject this application and launch a full investigation calling for a complete review of the whole planning process for this technology taking health into consideration based on independent research demonstrating biological effects below the ICNIRP guidelines.
- 14 hubs are excessive, given the size of the area, and some of the hubs are very close to each other.
- There are concerns regarding vandalism and light pollution.
- The ability for smaller local businesses to be able to advertise on the hubs is questioned – would they be of local benefit?
- These would be additional street furniture that would not be necessary.
- The proposal is declared to be cost neutral to the tax payer, but if it results in health impacts, it will not be cost neutral.
- If some of the services are essential, they should be separated from the other ones to be provided.
- Given the potential health concerns associated with the hubs, they will be a 'no-go zone' for many people.
- Healthier options to provide essential services should be explored that do not add to the existing high radiation burden.
- The Council has a responsibility for public health care and if the hubs have not been demonstrated to be safe, they should not be permitted.
- Who intends to monitor the cumulative radiation in Newton Abbot?
- The hubs would have 'Built in CCTV monitoring for evidentiary purposes' - these have not been given the public's consent and would breach human rights.
- What capabilities would the CCTV have, would it include biometric data for facial recognition, what data would be collected and who would it be shared with?
- There is not enough independent evidence recorded on the safety of 5G masts.
- Simple research on the web reveals the radiation from the proposed hubs is unlikely to be safe.
- The hubs may add to global warming.
- The hubs would not be in keeping with the traditional small market town and may pose a distraction for drivers on the A381 or Queen Street.

- If any of the 14 hubs can be seen from a listed building, they would breach planning legislation.
- The sustainability argument is also questionable when assessing the additional power requirements for the hubs and the electricity usage involved in any construction works, also, the power used and therefore CO2 emissions generated by the hubs functioning 24/7 for at least 18 hours a day.
- The proposal is incompatible with paragraph 141 of the National Planning Policy Framework, which states, "The quality and character of places can suffer when advertisements are poorly sited and designed".
- The proposal is incompatible with paragraph 160 of the NPPF which states, "To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources... while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts)".
- The proposal is also in conflict with Local Plan Policy NA8 Newton Abbot Town Centre Development f) contribution to improving air quality and meeting sustainable development objectives.
- No evidence of the adverse impacts regarding public health, nuisance or biodiversity being addressed has been submitted.
- Not everyone, in particular the elder generation, wants to live off their SMART phones and neither Newton Abbot Councillors nor chosen stakeholders have been given the authority to impose this onto people. It is an equalities issue.
- Newton Abbot Town Council is named as a joint applicant; is this not a conflict of interest?
- Was the proposal properly consulted on the formative stage?
- Would the proposal 'avoid unacceptable harm to public amenity'?
- How damage- proof are they?
- What would the cost of purchase be to the community as well as the cost to run on an annual basis?
- Who would pay for repairs to the hubs and the equipment with them?

The letters of support have raised the following points (in no particular order):

- This is an excellent proposal.
- This will provide excellent, instant local information for residents and visitors alike.
- The increased availability of defibrillators alone makes them worthwhile as they will save lives.
- The ability to make free calls and to charge phones will also help many in difficult or emergency situations.
- If they are also used to link vulnerable people with local charities such as the Citizens Advice Bureau, this will also help those people to get the help and support they need.
- The proposed hubs will be far more useful than the existing static displays present.
- The hubs will be great in promoting the town.
- The hubs are very innovative and will certainly help those with no access to Wi-Fi and means to contact family members in an emergency; and
- The hubs look like they would be an enhancement to the town centre and an improvement to the existing info points.

One representation has been received following notification of the amended number of hubs (nine), from the Newton Abbot and District Civic Society, commenting on the following grounds;

- Nine hubs are much more reasonable.
- Hub 1 affecting the setting of Queens Gate just within the Conservation Area could perhaps be relocated.

7. TOWN / PARISH COUNCIL'S COMMENTS

Newton Abbot Town Council

No objection.

8. COMMUNITY INFRASTRUCTURE LEVY

This development is not liable for CIL because the type of development is not chargeable under the schedule.

9. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature, and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

10. BIODIVERSITY NET GAIN (BNG)

Biodiversity net gain is a legal requirement for planning permissions. Planning applications are required to either provide detailed information proving there will be a biodiversity increase of 10% or explain why they are exempt from doing so. Unless exempt, planning permission is subject to the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)).

This development is subject to the general Biodiversity Gain Condition and prior to commencement of the development the Biodiversity Gain Plan will need to be submitted to and approved by the Local Planning Authority.

This development is exempt from the general Biodiversity Gain Condition because the proposals do not affect any area and/or linear habitat and therefore are subject to the de minimis exemption.

11. HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests/the Development Plan and Central Government Guidance.

Head of Development Management