

<u>APPLICATION NO:</u>	23/01971/TEL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	Grass Verge Opposite Entrance To Venus 110 Hornhouse Lane, Knowsley Industrial Park, Kirkby, Knowsley, L33 7RR		
<u>PROPOSAL:</u>	INSTALLATION OF AN 18 M HIGH SLIM-LINE MONOPOLE SUPPORTING 6 NO. ANTENNAS; 2 NO. EQUIPMENT CABINETS; 1 NO. ELECTRIC METER CABINET AND ANCILLARY DEVELOPMENT THERETO INCLUDING 1 NO. GPS MODULE.		

LOCAL PLAN POLICIES MAP ALLOCATION:

Primarily Industrial Area.

Site Description

The application site is located on a narrow grass verge, adjacent to the public highway on the eastern side of Hornhouse Lane, Kirkby. The site is located within a primarily industrial area and characterised by existing industrial buildings which surround the site. The application site is set in front of existing 2.3 m high palisade fencing enclosing existing industrial units currently accommodating Clarke Energy. The site is opposite the junction of the access road into the Deacon Park entrance off Hornhouse Lane.

Lighting columns line the opposite side of Hornhouse Lane at regular intervals. Other urban structures in the area include lighting columns within the curtilages of units.

The nearest residential dwellings are located approximately 450 m to the west on Moorgate Road North with other dwelling on South Boundary Road located approximately 490 m to the east. Park Brow Community Primary School is located to the west with the boundary of the school approximately 470 m from site.

Proposal

The application seeks prior approval under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a monopole and associated equipment.

The proposal consists of an 18m high slim-line monopole, supporting 6 no. antennas and 2 no. equipment cabinets and 1 no. electric meter cabinet. The equipment would be mounted on new root foundations. The monopole would be coloured Grey and the cabinets Green.

It is noted that the dimensions of the equipment cabinets identified in the written details supporting the application do not align with the dimensions measured of the submitted plans. Therefore, for the purpose of assessment the plan dimensions have been considered.

This application is not an application for planning permission but an application for 'prior approval' as the proposal represents development permitted by Part 16 of the Town and Country Planning General Permitted Development (England) Order 2015 (as amended).

Prior approval is required in regard to the 'siting' and 'appearance' only. Therefore, only these matters can be considered when deciding this application.

The application is accompanied by an International Commission on Non-Ionizing Radiation (ICNIRP) declaration which confirms the installation complies with the relevant public exposure guidelines for radio transmitters.

Consultations

Highway Authority - No objection.

Representations

This application has been publicised by letters sent to 8 neighbours. It has also been advertised by Site Notice. No representations have been received.

Planning History

None.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

NATIONAL PLANNING POLICY FRAMEWORK (2023)

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

EC3 - Primarily Industrial Areas

ENV8 - Telecommunications Developments

Assessment

Schedule 2, Part 16, Class A.3 (4) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) requires that before commencing development, the developer should apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the proposed development.

This application is therefore to assess whether a prior approval of the local planning authority will be required for the siting and appearance of the development which will be discussed below.

Siting & Design

The main issues are whether the siting and appearance of the proposed development is acceptable with regards to its effect on the character or appearance of the area, and whether any harm caused is outweighed by the need to site the installation in the location proposed, having regard to the availability of alternative sites.

Policy CS2 requires that “New development in Knowsley will be expected to support the following development principles: ...” Principle 4 c) Promoting good quality design, and ensuring that development respects its setting taking into account relevant design requirements and best practice.”

Policy CS19 in the Core Strategy states: “To enhance the local distinctiveness, identity and accessibility of places, new development within Knowsley will be expected to: maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be required to: a) Avoid unacceptable impacts on existing residents, business occupiers, and future occupiers; b) Minimise crime, fear of crime and anti-social behaviour, including good levels of natural surveillance and security; and c) Accommodate future maintenance and long term management requirements. “

Saved Policy ENV8 in the Replacement Unitary Development Plan requires that “*Proposals for new telecommunications masts and associated antennae and buildings will not be permitted unless the applicant has demonstrated that the following criteria would be satisfied:*

a) Where the proposal is for a free standing mast, the need for the development could not, for technical reasons, be met in a more environmentally acceptable manner by:

- *Sharing an existing mast or site,*
- *Erecting antennae on an existing building or other structure;*

b) The development would not, by reason of its scale, siting or design, have an unacceptable impact on the character or appearance of the surrounding area, or the amenity of nearby residents. “

Section 10 of the National Planning Policy Framework (NPPF) provides guidance in relation to “Supporting high quality communications.” The NPPF states in paragraph 114 that 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 115 further advises that the number of masts should be kept to a minimum consistent with the need of consumers and efficient operation of the network and use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. It goes further to state that “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.”

The NPPF states at paragraph 118 that 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 proposal consists of the installation of an 18m high street works column supporting 6 no. antennas, and installation of 2 no. equipment cabinets and an electric meter cabinet with ancillary development. The proposed equipment would be installed within the grass verge fronting the Clarke Energy building.

The application site has a backdrop of existing industrial buildings and 2.3 m high green painted palisade fencing. The site is surrounded by other large industrial sheds, including part of the QVC building further to the south west which attains height in excess of 30m. The area is characterised by industrial development.

Given the industrial context of the area, the proposed telecommunications mast would not cause significant harm to the character and appearance of its surroundings.

Residential Amenity

Policy ENV8 states “...*b) The development would not, by reason of its scale, siting or design, have an unacceptable impact on the character or appearance of the surrounding area, or the amenity of nearby residents.*”

The nearest residential dwellings are located approximately 450 m to the west of the application site on Moorgate Road North. Other dwellings on South Boundary Road are located approximately 490 m to the east. The proposed equipment would be sited amongst high level industrial and commercial buildings and as such the development would not be visible from these properties.

It is considered that given the distance from the closest dwelling there would not be any adverse impacts on the amenity of local residents.

Highway Safety

The Local Highway Authority have no objection to the proposed installation, nevertheless if prior approval is granted, they have requested that the applicant be informed that a separate consent is required from the Street works team to carry out any works to the adopted highway or across a Public Right of Way. This would take the form of a suitable informative on any decision if granted.

The proposal is acceptable in highways terms and would be in compliance with UDP Saved Policy T7 and Local Plan policy CS7.

Health Considerations

A number of objections have raised concerns about the health implications of the proposed development. In response to health concerns, the Government's planning advice (based upon advice from Public Health England (PHE) (who provide advice to the Government on public health issues), is that there is no convincing evidence of harm to human health from 5G provided that international guidelines for exposure to radio waves are followed. In this case the applicant has confirmed that these guidelines will be followed.

Further government advice confirms that the internationally accepted guidelines will continue to apply to the 5G network rollout across the UK. The guidelines on limiting exposure to electromagnetic fields were agreed by the International Commission on Non-Ionizing Radiation Protection ("the ICNIRP guidelines"), an independent organisation which is formally recognised by the World Health Organisation.

The guidelines on human exposure to electromagnetic fields are based upon the consensus view of research carried out over many years and including the frequencies used by 5G and all other mobile /wireless technologies. Furthermore, it is advised that there have been over 100 expert reports on electromagnetic fields and health published internationally over the past two decades, with over 3,000 studies informing these reviews and the existing scientific exposure guidelines. Further (recently updated) guidance from PHE reiterates this position and moreover states that:-

"...there should be no consequences [from 5G] for public health". In taking planning decisions, government guidance to Councils (from 2019) is that Councils should not ...set health safeguards different from the International Commission guidelines for public exposure." "

As such, health is not a material planning consideration in this instance given that this application is for prior approval (with only matters of siting and appearance to be considered); and in any event the telecommunications operator has confirmed that the international guidelines will be met, which PHE and the government indicate should satisfy local planning authorities that a telecommunications installation is safe.

Benefits of the Development

The applicant submits that there is a specific requirement for an installation on the footway of Hornhouse Lane to ensure that the latest high quality 3G and 4G service provision is provided in this area of Knowsley. The proposed column will also ensure that new 5G coverage can be provided at this location to ensure coverage and capacity requirements are maintained and enhanced.

The supporting information highlights the benefits of 5G, which are not disputed and

as noted in Paragraph 114 of the NPPF, advanced telecommunications infrastructure is essential for economic growth and social well-being and this should therefore weigh in favour of the development.

Conclusion

There are benefits associated with the proposed development and these must weigh in favour of the proposed development. The proposed installation would be acceptable in terms of siting and appearance and impacts on residential amenity and highway safety.

The proposal would be in compliance with Local Plan policies CS2 and CS19 and Saved UDP policy ENV8.

Recommendation

The Council has determined that pursuant to Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the applicant be informed that prior approval is required and granted subject to the following condition:

1. Prior to first installation, the monopole shall be finished Grey and the equipment cabinets finished Dark Green to a specification (BS / RAL) which has been previously submitted to and agreed in writing with the Local Planning Authority. The equipment shall be maintained and remain in accordance with the agreed details thereafter.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
25/07/2023	KSY25683_KSY10 9_L1029_M001_H 3G_DNSW_GA_A	Issue A	100 EXISTING H3G SITE PLAN
25/07/2023	KSY25683_KSY10 9_L1029_M001_H 3G_DNSW_GA_A	Issue A	150 EXISTING H3G ELEVATION
25/07/2023	KSY25683_KSY10 9_L1029_M001_H 3G_DNSW_GA_A	Issue A	210 PROPOSED H3G SITE PLAN
25/07/2023	KSY25683_KSY10 9_L1029_M001_H 3G_DNSW_GA_A	Issue A	260 PROPOSED H3G ELEVATION
25/07/2023	KSY25683_KSY10 9_L1029_M001_H 3G_DNSW_GA_A	Issue A	002 SITE LOCATION PLAN

Signed Case Officer¹:

M Wishart



**Signed Authorising
Officer²:**

13 September 2023

Date:

Informatives

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

1 Local Highway Authority

This permission does not entitle the developer to obstruct or carry out works within the Adopted Highway or across a Public Right of Way whatsoever. Any proposed temporary closure or works affecting either will require separate consent which must be obtained from the Streetworks team. Please email NRSWA.TeamDRES@knowsley.gov.uk for further information.

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Appendix 1 – Site Photographs



