

<u>APPLICATION NO:</u>	23/02089/TEL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	Grass Verge Near To Junction of Cartbridge Lane and Hever Drive, Halewood, Knowsley, L26 4XG		
<u>PROPOSAL:</u>	INSTALLATION OF A 20 M HIGH STREETWORKS COLUMN SUPPORTING 6 NO. ANTENNAS, 2 NO. 0.3M DISHES AND ANCILLARY EQUIPMENT TOGETHER WITH THE INSTALLATION OF 2 NO. EQUIPMENT CABINETS AND DEVELOPMENT ANCILLARY THERETO.		

Local Plan Allocation

Green Belt
Primarily Residential Area

Site Description

The application site is located on a grass verge which forms part of the adopted highway, located on the northern side of Cartbridge Lane opposite the junction with Hever Drive, Halewood. The site is set in front of agricultural land located to the north with residential dwellings located opposite on Hever Drive and Farnborough Close. The site lies partly within the Green Belt and within an area allocated as a Primarily Residential Area.

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 street works column (monopole) and associated equipment.

The proposal consists of a 20 m high street column supporting 6 no. antennas; 2 no. 0.3 m dishes and ancillary equipment and 2 no equipment cabinets and ancillary development. The equipment cabinets would comprise:

York cabinet – 1.90 m (w) x 0.60 m (d) x 1.75 m (h)
Shire cabinet – 1.05 m (w) x 0.60 m (d) x 1.75 m (h)

The column and equipment cabinets would be coloured Grey (RAL 7035).

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).

Conditions at A.3(4) states that: "(4) Before beginning the development described in paragraph A.2(3), the developer must 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 development."

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

Halewood Town Council – (in summary) Agree with objections cited by residents. Support view that locating mast in this location of Halewood is not appropriate. The Town Council has collated the views of 50 local people and object on following grounds:

- The mast too close to residential property.
- Noise impacts would cause nuisance and disturbance, affect the residents wellbeing and mental health.
- The mast would be unsightly and not fit in with surrounding environment.
- The mast will de-value house prices in immediate area.
- The siting of mast would lead to an increase in anti-social behaviour – already concern with behaviour in area / probability of mast being damaged is high.
- Traffic issues will impede residents being able to park their vehicles leading to highway safety issues.
- There is a school close to the site, parents use the site as a turning area and traffic is excessive
- There is a high chance that the mast would be damaged.
- There is an existing mast (Halewood Shopping area) less than quarter mile away.
- There are other more suitable locations in Halewood where the mast could be easily disguised.
- The mast will affect the surrounding area and overall look of area.
- The proposed location not most practical place in area.
- The mast would lead to a decrease quality of life.

Local Highway Authority - No objection.

Asset Management (KMBC) – No observations received.

Representations

This application has been publicised by letters sent to 21 neighbours. It has also been advertised by Site Notice.

There have been 25 letters of objection and 1 letter of support.

The representations are summarised as follows:-

Highway Safety

- The mast will obscure / limit views for drivers.
- The low rocks on the land are already an obstruction.
- The mast would be located next to severe bend.
- The mast would lead to an increase in potential for collision.
- The mast is located next to an extremely busy junction – busier due to influx

of new houses.

- There is no area for service vehicles to park which would cause hazard to traffic, road users and pedestrians.

Visual Impacts

- The mast would have an adverse visual impact on primarily countryside area close to Green Belt.
- Site is well maintained and a feature of the established rural housing estate.
- Development would be out of place, unsightly and not in keeping with location.
- Proposal would be an eyesore due to size and level of equipment.
- The equipment would be highly visible.
- There would be no or limited screening despite what is indicated in application.
- The development would be at the end of one of the prettiest and most unusual lanes in the area.
- The grassed area will no longer be maintained to a high enough standard due to obstruction.
- The development would appear as a big metal mess in open green land. Suggest siting in the woods as would only see the top part of it. Common sense please.
- Very little left untouched in Halewood.
- The mast would be a monstrous blot on landscape
- The height of this mast is far too high especially given the location in a semi-rural area.
- Proposal doesn't fit in aesthetically in the area.
- It would detract from rural setting short distance from conservation area.
- Development would ruin the entrance to Hever Drive.

Loss of Greenspace

- Halewood has lost so much greenery already due to the massive housing development.
- Loss of green areas which is charm of village.
- Extensive works in Halewood with new buildings taking away further greenspaces and adding structure would be detrimental to feel of the village.

Loss of Outlook and Views

- Development would obscure views across farm land / fields / green belt.
- Would result in loss of outlook from garden.

Residential Amenity

- Overshadowing
- Other masts in Borough not as close to well-maintained homes and owners proud of their surroundings and Halewood.
- It will encroach into living space of house and garden as less than 20m from property.
- Don't want the development on doorstep.

Anti-Social Behaviour

- Numerous installations have been set on fire.
- Will attract graffiti.

Loss of light

- Due to height of mast impairing light into garden.

Health Risks

- Long term medical Issues unknown.
- Limited research into effect of radiation.
- Close to housing.
- Claims against the Council for health conditions.
- Experts are calling for Radiofrequency Radiation, including 5G, to be reclassified as a Group 1 known Human Carcinogen. This would place it in the same category as X-Rays and Smoking.
- Fearful for exposure for children.
- Want reports on EMF in residential area within 100m.
- Efficacy of two masts within 150 m of each other.
- Can choose to use a mobile phone but no choice living next to mast.

Existing Masts in Area

- Existing Masts in area including on Okell Drive / Church Road.
- Suggest using / sharing existing mast on by Church Road / Okell Drive bigger site and further from residents; better vision for traffic, parking, communication boxes already in place and therefore not causing any new issues.
- Already eyesore mast 50 metres away.
- Another mast on doorstep is unfair.

Alternative Locations

- Consider more suitable sites could be located on Okell / Church Road.
- The mast could be located on sites not in residential areas.
- Other grassed areas away from houses are available.
- Pole should be in hidden location / amongst trees rather than prominent grass verge.

Existing 4G / 5G Coverage

- Coverage currently fine in the area.
- Until more compact and enhanced technology request pole is rejected anywhere in Halewood.

Wildlife Issues

- Will attract pigeon roosting.
- May deter hawks that hunt in the field.
- Detrimental to Wildlife.

Other Comments

- Will impact on mental health as walk in area / field every day.
- Devaluation of property / Effects on House Prices.
- Should have planting to hide base of tower to blend into countryside.
- What are benefits?
- If mast not allowed in Halewood Village within 100yds of property – astonishing this could be considered.
- Concern notification not sent to all homes on Hever Drive.
- Risk to Aviation.
- Already so much construction in area.
- Residents pay highest Council Tax in borough as house prices amongst

highest.

- Knowsley Core strategy (2016) Policy ENV8 Telecommunications Developments states that they will not be permitted within environmentally sensitive areas such as Residential areas - which this is and Green Belt -which this is. Surely an industrial site would be more suitable and less dangerous.

The letter of support is summarised as follows:

- Telephone reception in the area is struggling as it is and additional masts are required.
- Connectivity is something all people have the right to. The right to internet is a human right and these masts will ensure that all residents in the area will have enough reception to access the internet from their devices.
- Large population with internet capable cellular devices have limited connection due to the present lack of signal masts causing dead spots; interference on the network having to share the limited Masts.
- Full force with the masts, get them up and bring Halewood further and stronger into the Information Age.

Relevant 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

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)

H5 - Development within Primarily Residential Areas

DQ2 - Security in the Built Environment

ENV8 - Telecommunications Developments

ENV2 - Noise and Vibration

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. Other matters such as whether the mast is appropriate in the Green Belt are not material to the decision which must solely rest on whether the siting and appearance of the proposal is acceptable.

Siting & Design

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 a 20 m high street works column supporting 6 no. antennas, 2 no. 0.3m dishes and installation of 2 no. equipment cabinets and ancillary development. The proposed equipment would be installed directly onto the grass verge, it is not proposed to provide any concrete hard standing or compound.

The application site and a swathe of the land immediately to the north and further beyond existing residential development to the north east is located within the Green Belt. The land to the north is characterised by open farmed agricultural land. The equipment would therefore be sited on an open verge with a rural backdrop.

At 20 m high the column would be considerably higher than any other structures in the immediate vicinity of the site. The proposed column would rise significantly above the existing lighting columns which attain a height of 9 m and telegraph poles which are 8 m high. There would be clear views of the equipment when travelling in both directions along Cartbridge Lane.

It is noted that the applicant suggests that the development would be screened and the supporting information indicates that “the mature trees along the road and in the wider area will provide a good level of screening to the west and east”. However, it is officers view that the existing planting would provide very limited screening to views of the installation. The planting would not provide a visual backdrop to the north and the siting would be highly visible to passers-by, including residents of the nearby housing development using this well used network of footpaths. The trees located to the west would be so far away (approx. 40 m) so as not to have any material impact on softening the appearance or lessening the visual impact of the proposal.

Notwithstanding the relative slimline nature of the mast, due to its height and position in an exposed area with very limited screening, the proposed development would be highly visible and it would appear as an incongruous feature given the low rise nature of its surrounding. Furthermore, the proposed equipment cabinets, given their arrangement on the grass verge, would be visually conspicuous detracting from the

softer landscape features of the green corridor along this part of the northern side of Cartbridge Lane. These factors would in turn impinge on the visual amenity and open character of the Green Belt to the north, which officers consider forms part of the streetscene.

The proposed mast and associated equipment would appear as an alien feature and would not be successfully assimilated into its surroundings. It would have a jarring and incongruous presence to the detriment of visual amenity and the character of the area.

The proposed development would therefore fail to comply with the above mentioned planning policies and guidance due to the adverse impact on visual amenity and the character of the area, as detailed above.

Residential Amenity

Saved UDP policy ENV8 requires that proposals for new telecommunications masts and associated antennae and buildings will not be permitted unless the applicant has demonstrated that certain criteria is met, It states at Clause 1 (b) that *“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.”*

Saved UDP policy H5 requires that *“New development within the Primarily Residential Areas ...which is for uses appropriate to a residential area will be permitted provided that the development (either by itself or in conjunction with other developments) would not:*

a) Have an unacceptable impact on the amenity of neighbouring occupiers by reason of noise, disturbance, overlooking, visual intrusion, smells, fumes, on-street parking or other causes; or

b) Adversely affect the character or street scene of the area.”

The proposed installation would be sited approximately 17.5 m from the boundary with the nearest residential dwelling on Farnborough Grove and approximately 22.5 m from the nearest residential boundary on Hever Drive.

The gable elevation of the nearest residential property, 24 Farnborough Grove, faces the application site and other properties on Farnborough Drive back onto Cartbridge Lane and would therefore have limited views of the application site. No. 1 Farnborough Drive, at the junction with Hever Drive would have oblique views of the site from the front.

It is not considered that the proposal, would directly harm the amenities of local residents beyond the siting and design considerations discussed above.

Highway Safety

It has been suggested by local residents that the proposal would hamper visibility of vehicles using the adjacent highway. However, the Highways team have no objections 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.

The proposed development would be located on a deep grassed verged area. It would be set alongside other street furniture such as an existing road sign and a lamp post. The mast would be set a minimum of 7.6 m from the adjacent highway and the cabinet approximately 9.7 m from the highway. Given the position of the proposed equipment is unlikely that it would be damaged by vehicle strike.

The siting of the development would be such that it would not prevent pedestrians from passing along the adjacent footway and would not prevent access to other premises. The proposed equipment would not impact on existing rights of way or any walking or cycling route.

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 site to provide enhanced 3G and 4G and new 5G coverage. An additional new street

works style base station is required for this 5G upgrade to VM02's service in close proximity of the existing base station.

The supporting information highlights the benefits of 5G, which are not disputed and as noted in Paragraph 112 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.

Alternative Sites

The applicant has considered and discounted five alternative sites in their Supplementary Information Form. The sites were provided in eastings and northings, which have been interpreted by <https://gridreferencefinder.com>

The sites are set out below:

1. Verge adjacent to roundabout Okell Drive (existing site) – Discounted due to the structure being shared providing 2G/3G/4G no solution that can accommodate 5G antennas for both Vodafone and VMO2 without significant redevelopment that would compromise pedestrian movements and impact on highway safety. Needs vertical and horizontal separation to avoid network interference.
2. Okell Drive (streetworks) – Discounted as similar mast (20/00279/TEL) refused to west of proposed location. Proposal seeks to overcome reasons for refusal.
3. Okell Drive, next to bus stop (streetworks) – Discounted as closer to houses than the proposed located and able to better protect the character of the area.
4. St Nicholas C of E, Church, Church Road, Halewood (Rooftop) – Discounted as the Church is a listed building within a Conservation Area and located too further south from the search area.
5. Hilton Grace, Recreation Ground, Church Road (Greenfield) - Discounted due to proximity to Conservation area and located too far south from the search area. An installation at this location would not replicate and improve upon the existing coverage pattern.

It is noted that site 3 location is identified as being to the north of the bus stop however, the grid reference would point to it being to the south west of the bus stop on the eastern side of Okell Drive.

Knowsley Council believes that there is scope for an alternative site in the surrounding area which could deliver the same benefits as the proposed development.

Other Matters

The 'siting' and 'appearance' of the proposal are the only factors that can be considered and no other matters can be considered. The main condition therefore is that siting and appearance must be such that visual impact on the surrounding area is minimised.

It is noted that there are a number of matters raised by local residents which do not relate to siting and appearance and these matters cannot be taken into account.

Conclusion

There are benefits associated with the proposed development and these must weigh in favour of the proposed development. Nevertheless, it is not considered that these benefits would outweigh the clear harm in terms of the proposal's visual impact upon the character and appearance of the surrounding area.

Consequently, the proposal would be contrary to adopted local plan and saved UDP Policies CS2, CS19, H5 and ENV8 and Guidance in the NPPF.

As such the proposal would conflict with the conditions set out at A.2, Part 16, Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015 (as amended).

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 refused for the following reason:-

The proposed development by reason of its location, height and prominence would form a highly visible and incongruous development which would be detrimental to the visual amenity and the character of the street scene. As such, the proposal would be contrary to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies H5 and ENV8 of the Knowsley Replacement Unitary Development Plan adopted June 2006 and guidance in NPPF (July 2021).

Signed Case Officer¹: **M Wishart**

Signed Authorising Officer²: **A Kilroe**

Date: **5 September 2023**

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

