

<u>APPLICATION NO:</u>	23/01973/TEL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Stockbridge	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	Pavement Near To The Junction Of Waterpark Drive And Leach Croft, Stockbridge Village, Knowsley, L28 1NN, ,		
<u>PROPOSAL:</u>	THE INSTALLATION OF AN 18M HIGH SLIM-LINE MONOPOLE, SUPPORTING 6 NO. ANTENNAS, 2 NO. EQUIPMENT CABINETS, 1 NO. ELECTRIC METER CABINET AND ANCILLARY DEVELOPMENT THERETO.		

Site Description

The proposal site is located at the back of the public footpath for Waterpark Drive and is on the edge of Stockbridge District Centre. Waterpark Drive is the main arterial road around Stockbridge Village, linking the residential areas and the District Centre, and linking from Seth Powell Way and the M57 through to West Derby. The site is to the south east of the junction of Waterpark Drive and Leach Croft, the no-through road leading to the shops and car park within the District Centre. The site is part of a grassed area with some trees within and part of the District Centre car park beyond. St Brigid's Catholic Primary School is opposite the 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, the for the purpose of assessment the plan dimensions have been considered. Furthermore, it is noted that dimensions are not given for the smaller of the cabinets, the electrical cabinet.

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
Knowsley Parish Council - No Comments Received

Representations

This application has been publicised by letters sent to 12 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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

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

DQ3: Gateway Sites and Corridors

T7: New Development and Walking and Cycling Routes

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 and 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.

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 to the back of the pavement serving Waterpark Drive just to the south east of the junction with Leach Croft, and adjacent an area of urban greenspace.

Waterpark Drive is an arterial road around Stockbridge Village, there are regular spaced streetlighting columns on the opposite side of the road and the surrounding area, there are also a number of trees located next to the site of the proposed mast.. The buildings in the locality are mixed, with retail/commercial units within the District Centre, whilst there is a school opposite and a pub to the north west of the school site. The site is not overlooked by residential properties.

Although the area around this site is relatively low rise there are trees which would provide some screening of the mast and it is away from direct overlooking from residential properties. Telecoms installations as that proposed are regularly found along main transport routes and it is considered in this instance, with the distance to buildings and housing the proposal would be acceptable visually.

As such the application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy ENV8 of the UDP.

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 Policy CS2 of the Core Strategy and Saved Policy T7 of the UDP.

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 dwelling is located approximately 71m away from the proposed streetworks pole, slightly closer to the cabinets and presents a gable towards the site. The nearest dwelling which presents a main elevation towards the site is approximately 83m from the streetworks pole and is on Round Hey.

Given the distance of dwellings and the context of the site on the main arterial road

around Stockbridge Village and the adjoining District Centre it is considered that there would not be any adverse impacts on the amenity of local residents.

As such the application complies with Policies CS2 and CS19 of Core Strategy and Saved Policy ENV8 of the UDP.

Health Considerations

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 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 this installation 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.

Alternative Sites

The applicant has considered and discounted 7 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. Custley Hey L28 1RP (streetworks) – Discounted because an installation at this location is considered to be too prominent in the streetscene and other alternatives exist which are more appropriate in order to deliver the required coverage to the target area. It should also be noted that this site is in close proximity to housing.
2. Custley Hey L28 1RW (street works) – Discounted for the same reason as above. It should also be noted that this site is also close to housing.
3. The Withens L28 1AB (streetworks) – The footway at this location is too narrow to accommodate the operator's equipment. As such, this option has been discounted as the physical lack of space would lead to highway safety issues. It should also be noted that this site is also close to housing.
4. The Withens L28 1AB (streetworks) – Discounted for the same reason as above. It should also be noted that this site is also close to housing.
5. Leach Croft L28 1NR (streetworks) – Discounted for the same reason as above.
6. Leach Croft L28 1NR (streetworks) - Discounted for the same reason as above.
7. Leach Croft L28 1NN (streetworks) – Discounted for the same reason as above.

The applicant's reasons for dismissing the alternative sites are considered reasonable. In addition, it is noted that there are some sites with additional reasons for being unsuitable noted at the end of the pertinent site's reason for being discounted.

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. Sufficient details have been submitted by the applicant with regard to alternative sites which have been considered and discounted.

The proposal would be in compliance with Local Plan policies CS2 and CS19 and Saved UDP policies DQ3, T7 and ENV8.

Recommendation

The Council has determined that pursuant to Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, the applicant be

informed that prior approval is required and granted subject to the following condition(s): -

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.

Reason: In the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy ENV8 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24/07/2023	KSY25766_KSY10 2_L1050_M001	A	002 LOCATION PLAN
24/07/2023	KSY25766_KSY10 2_L1050_M001	A	210 PROPOSED H3G SITE PLAN
24/07/2023	KSY25766_KSY10 2_L1050_M001	A	260 PROPOSED H3G ELEVATION

Signed Case Officer¹: **Lee Osborne**

**Signed Authorising
Officer²:** _____

Date: _____

Informatives

- 1 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

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