

Regeneration and Economic Development Department

APPLICATION NO: 21/00236/TEL

APPLICANT: Hutchison 3G UK Ltd
Hutchison 3G UK Ltd

WARD AFFECTED: Cherryfield

DEVELOPMENT: THE INSTALLATION OF A 20 M HIGH TELECOMMUNICATIONS POLE SUPPORTING 6 NO. ANTENNAS AND 2 NO. TRANSMISSION DISHES TOGETHER WITH THE INSTALLATION OF 4 NO. EQUIPMENT CABINETS AND ASSOCIATED ANCILLIARY WORKS

LOCATION OF SITE: Pavement At The Junction Of Coplehouse Lane and Edna Avenue, Field Lane Estate, Knowsley, L10 0AF,

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Development

Water Restricted Surface Area - North Area - Kirkby

RELEVANT POLICIES

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

ENV8 - Telecommunications Developments

National Planning Policy Framework

TECHNICAL CONSULTATIONS:

Highway Authority - Raise objections due to insufficient information to determine if visibility splays are acceptable for traffic emerging from Edna Avenue onto Coplehouse Lane

NEIGHBOUR NOTIFICATION:

This application was publicised by letters sent to 49 neighbours. It was also advertised by Site Notice, erected on 14 April 2021.

Two letters of objection have been received, one from a member of the public and one from the three Cherryfield ward councillors (Cllr Jayne Aston, Cllr David Lonergan and Cllr Jackie Harris) . The representations are summarised as follows:-

- Although the principle of 5G is supported, an objection is raised on the siting and visual appearance of the mast.
- The area planned for the installation of the mast is a well-established, densely populated, residential area of Cherryfield Ward. The proposed siting of the mast would have a detrimental impact on the residential amenity, as this would dominate every aspect of home closest to the planned siting of the mast. Whilst the guidance on the health aspects of 5G is understood we have concerns about the masts proximity to a children's nursery at the junction of Coplehouse Lane and Field Lane, and understandable anxiety this will cause for both the nursery and our constituents whose children attend the nursery.
- This application comes on the back of a similar application which was recently approved for Valley Road, which raises the question about the current mast's proximity to the this proposed mast.
- We would respectfully ask that the applicant gives consideration to siting the mast on a more appropriate site – for example, industrial land further down Coplehouse Lane or nearby Axis site.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

- The mast will be an eye sore in a residential area and it will be noticeable when the complainant enters and leaves their home. Recommends that the application is reconsidered.

ARTICLE 35

The Local Planning Authority has acted positively and proactively in determining this application for “Prior Approval” by assessing the proposal against all material considerations - which in the case of prior approvals is limited to matters of siting and design.

The application has been determined in a timely manner and the reason for refusal is clearly set out, allowing the applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

The Local Planning Authority is ready to meet with the applicant to discuss the best course of action and to provide pre-application advice in respect of any future application for a revised development.

PLANNING HISTORY

None relevant.

ISSUES AND ASSESSMENT:

SITE AND PROPOSAL

The application site relates to an area of footpath in front of a small shopping parade close to the junction of Copplehouse Lane and Edna Avenue. Although the site is located directly in front of ‘The Corner Shop’ there are residential dwellings on the opposite (west) side of Copplehouse Lane and the area as a whole has a residential character.

Copplehouse Lane itself is a busy distributor road, connecting Valley Road and the A580 East Lancashire Road and is relatively straight in its alignment, with dwellings separated from the highway by front gardens and a grass verge, and commercial units also set back with wide footways or small service roads in front of them.

This application is not an application for planning permission but an application for ‘prior approval’ under the Town and Country Planning General Permitted Development Order 2015 (as amended) for the ‘siting’ and ‘appearance’ of proposed telecommunications equipment. Therefore, only these matters – of siting and appearance - can be considered when deciding this application.

The proposal comprise of the installation of a ‘standard’ 20m high monopole with six antennas and two 0.3m dishes, and four equipment cabinets having a maximum depth of 0.7m widths varying between 0.5 and 2m and a height varying between 1.1m and 1.7m.

POLICY CONSIDERATIONS

The proposal is considered to be contrary to the Policies CS7, CS19 in the adopted Knowsley Local Plan, & saved policy ENV8 in the Knowsley Replacement UDP and section 16 to the National Planning Policy Framework, as discussed in further detail below.

DESIGN & LAYOUT

The application site is in a very prominent location in the middle of a shopping parade, close to the road junction of Copplehouse Lane and Edna Avenue. As described above, Copplehouse Lane is relatively straight and buildings on each side of the road are set back from the back of the footway, which means that clear views of the mast and associated equipment would be available from the northern and southern ends of Copplehouse Lane, particularly given its siting close to the guard rails that separate the footway from the road.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

It is accepted that there is street furniture along Copplehouse Lane, including 10m high street lighting and a 10m high CCTV pole. However, the proposed mast would be twice as high as these features and significantly taller than the two storey dwellings and commercial units which lie on each side of Copplehouse Lane. Accordingly, a 20m high mast that would be readily visible from along Copplehouse Lane would appear as an incongruous feature, which would cause harm to the visual amenity of the area.

Furthermore, the precise siting of the mast and equipment cabinets, in a 'no mans land' between the edge of the footway with the road and the edge of the footway with the building, would appear as an incongruous, feature.

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 ENV 8 in the Replacement Unitary Development Plan states:

"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 "

The proposed mast and associated equipment would fail to comply with the above policies due to the adverse impact on visual amenity and the character of the area, as described above.

RESIDENTIAL AMENITY

There are residential properties directly opposite the site of the proposed mast, which at its closest point would be 23m away. The mast would be clearly visible from ground floor and first floor windows of these homes and from first floor windows and gardens of properties on Copplehouse Lane and Gribble Road. Consequently, the mast, by reason of its height and visual appearance, would appear as an intrusive structure which would harm the amenities of those residents, particularly given that there is no landscaping or trees to soften or mitigate its visual effects.

This would be contrary to Saved UDP policy ENV8 which 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 "

HIGHWAY SAFETY

Policy CS7 states that planning powers will be used to support a sustainable and integrated transport system that will enhance road safety. Policy CS19 states that new development in Knowsley will be expected to provide safe routes for movement to meet the access needs of all users.

Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

The Highways Team have reviewed the application and they have objected on the basis that there is insufficient information to determine whether the positioning of the cabinets and the mast would not have an unacceptable highway impact, because of their potential to compromise visibility splays at the junction.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

Following a further review of the plans it has been established that neither the cabinets or the mast conflict with the 2.4m x 43m splays which the Highways Team have stated would be required along Copplehouse Lane, therefore, their presence would not affect highway safety. However, the cabinets would be serviced (as shown currently) from the west and there is a real prospect of an engineer adversely affecting visibility if they were to spend anytime servicing the cabinets. Nevertheless, if prior approval was to be granted this matter could be resolved by a planning condition requiring the cabinets to be serviced from the opposite (east) side. Subject to such a condition, the proposed development would not have an unacceptable impact on highway safety.

HEALTH CONSIDERATIONS

In response to health concerns raised, 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 and 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 application proposes a 5G telecommunications mast which the applicant states "*is required to provide new infill coverage for the H3G network (known as '3'). The site is primarily required to provide new 5G coverage and capacity to the area surrounding the site. It would also improve 4G coverage and capacity.*"

The applicant's Supplementary Information Form sets out 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 - a number of 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:

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

Grass verge on the junction of Coplehouse Lane and Longmore Lane – This site lies to the north of the application site close to an ALDI supermarket. The applicant sets out that this site could be suitable for an installation, but it was discounted by their radio planner because it would not be possible to provide coverage from this location.

The applicant has included a coverage plot which shows where coverage does not meet service requirements which includes both the application site and the alternative site, but it does not identify what coverage the proposed mast would deliver and how each alternative would address the issue.

Based on the merits of this site, it would not cause as much harm to the character of the area or residential amenity.

Junction of Hawksmoor Road and Coplehouse Lane – This site lies to the south of the application site. The applicant has dismissed this site as the pavement is constrained by residential proximity and access to the adjacent garages. It is considered that the effects of a mast in this location would be similar to the applications site.

Grass verge on Coplehouse Lane – This site lies to the north of the application site, but to the south of the first site that was discounted by the applicant. A mast here would be located on a grass verge, which contains trees and street lights and lies between Coplehouse Lane and a service road, which a number of dwellings use as their access.

The applicant has dismissed this site because it is overlooked by homes to the east and west. However, it is considered that were the mast to be located in the verge close to the Ford Service Garage, the harm to both the visual amenity of residents and the area would be less than the harm caused by the current proposal.

Footway outside of ALDI, Coplehouse Lane – This site relates to a footway outside of the ALDI store at the north of Coplehouse Lane, which the applicant has discounted due to the narrow width of the footpath and the consequential impact on pedestrians.

It is agreed that the width of the footway and the presence of a retail store - which is likely to generate heavy pedestrian traffic - would not make this an appropriate location for a mast and its associated cabinets.

Highway verge between Valley Road and Moor Lane – This site relates to a highway verge between Valley Road and Moor Lane, on the Valley Road side. The highway verge is grassed and there is a mature hedge and trees offering some screening to a block of three storey apartments that lie to the south.

The applicant has discounted this site due to the proximity of residential properties, but given the character of the area – adjacent to a dual-carriage way road - and the screening between the site and the apartments it is considered that a mast in this location would cause less harm than that proposed by this application.

It is unclear if any sites at the southern end of Coplehouse Lane, or on Bridgehouse Lane or Aintree Lane have been considered or if this would provide the required coverage. In summary, the applicant has failed to demonstrate that there are no alternative sites which would cause less harm to residential amenity or the appearance of the local area.

CONCLUSION AND REASON FOR DECISION

The proposed mast (and its associated equipment) would, by reason of its siting, in a very prominent location, be detrimental to visual and residential amenity and would adversely impact on the appearance of the local area and the street scene. There are benefits associated with the proposed development and these must weigh in favour of the proposed development; but it is not considered that they outweigh the significant harm caused. Furthermore, the applicant has failed to demonstrated that these benefits could not equally be achieved in an alternative site where less harm would be caused.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

Consequently, the proposal would be contrary to adopted local plan and saved UDP Policies CS7, CS19, and ENV8 and Guidance in the NPPF.

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 reasons:-

The proposed development would be detrimental to the visual and residential amenity and character of the area. In particular, together with the existing street furniture on Coplehouse Lane, this would result in visual clutter in the street scene and the area generally by reason of its location, amount of equipment and prominence. 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.

Mark Quinn

26 April 2021

Alan Kilroe
6 May 2021

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02