

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 24/00106/TEL **CASE OFFICER:** Andrew Hunt

WARD: St Gabriels **PARISH:** N/A

LOCATION: Lathom Road, Huyton, Knowsley

PROPOSAL: PRIOR APPROVAL FOR THE INSTALLATION OF A NEW 20M HIGH MONOPOLE WITH 6NO. ANTENNAS AND 1NO. 300MM TRANSMISSION DISH , TOGETHER WITH 3NO. GROUND BASED EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT THERETO

Site Description

The application site is a pedestrian pavement that runs between the Asda Superstore and Lathom Road. The site is located to the east of Huyton Town Centre across Lathom Road and is in close proximity to traffic lights. The site is slightly to the north of a widened part of the pavement.

Proposal

The proposal is for the erection of a 20m high monopole with 6no antennas and 1no300mm transmission dish, together with 3no ground based equipment cabinets and ancillary development thereto.

Consultations

Highways – No Objection. A permit is required.

Representations

The application has been publicised by a site notice and letters sent to 36 neighbours. No representations have been received.

Planning History

None Relevant

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development

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

ENV8 - Telecommunications Developments

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

ISSUES AND ASSESSMENT:

PRINCIPLE OF DEVELOPMENT

This application is not an application for planning permission but an application for 'prior approval' under national planning regulations (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 the application.

SITING AND APPEARANCE

Policy CS19 requires that developments respond to and integrate positive characteristics of their immediate surroundings and complement and enhance existing landscape, topography and green infrastructure.

The mast would be located within a busy town centre area. The mast would be viewed against the backdrop of the large supermarket and within the context of a busy streetscene that includes traffic and street lights and a signpost.

Overall, the built up character of the immediate area and the presence of other tall structures nearby, means that the proposed mast would not be out of place or visually harmful in the street scene. This, combined with the strong support in national policy towards communications infrastructure, means that the siting and design of the development proposed is considered to be acceptable. The site of the mast has been moved away from the crossing point slightly to the north, this ensures that there would be no harm to the streetscene.

The development is consistent with Core Strategy Policies, CS1 and CS19, UDP policy ENV8 and the National Planning Policy Framework.

AMENITY

Core Strategy Policy CS19 requires that development to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

There are no residential buildings in close proximity to the proposed mast. The nearest building is the large Asda supermarket nearby.

Overall, it is considered that there would be no harm to amenity from the proposal. The development is consistent with Core Strategy Policies, CS1 and CS19, UDP policy ENV8 and the National Planning Policy Framework.

HIGHWAYS

The National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The development will not cause harm to highway safety. The proposal would not involve development that would affect the road. The position of the mast is set back to the edge of the pavement area and would not obstruct pedestrians.

It is considered that the position of the mast will not create highway visibility issues and will still allow access by pedestrians and cyclists. This is supported by the views on the council's highways department who have no objection. Overall, the application complies with Core Strategy Policy CS7.

OTHER MATTERS

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.

PHE have stated that, based on existing research, it is considered that there is no convincing evidence of harm from exposure to radio waves within the international guideline levels. 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.

CONCLUSION

The proposal is acceptable in principle under the 2015 GPDO and would not cause harm in relation to siting and appearance, highways or amenity. The development is therefore consistent with Core Strategy Policies CS2, and CS19, UDP Policy ENV8 and the NPPF.

RECOMMENDATION:

That pursuant to Part 16 of the Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the applicant be informed that prior approval is required and granted.

Signed Case Officer¹: ___Andrew Hunt_____

Signed Authorising
Officer²: ___Alan Kilroe_____

Date: ___29 May 2024_____

Informatives

1) Plans

For clarity the following plans are approved:

- a. Proposed Plans and Elevations – Rev B (Received 28/05/2024)
- b. Site Location Plan – Rev A - (Received 18/03/2024).

2) Highways

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