
<u>APPLICATION NO:</u>	23/01115/TEL	<u>CASE OFFICER:</u>	Mark Quinn
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	Land At Pilch Lane East (Near To Junction With Roby Road, Roby), Knowsley, ,		
<u>PROPOSAL:</u>	PRIOR APPROVAL FOR THE INSTALLATION OF A 20M HIGH STREETWORKS COLUMN SUPPORTING 6NO. ANTENNAS, 2NO. 0.3M DISHES TOGETHER WITH THE INSTALLATION OF 2NO. EQUIPMENT CABINETS AND ANCILLARY EQUIPMENT		

Site Description

The application site relates to the edge of an amenity area on Pilch Lane East close to the junction with Roby Road. The wider amenity area separates the old Roby Road from the A5080 (the newer section of Roby Road).

Proposal

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 comprises a 20m high street column, 6no antennas, 2no 0.3m dishes and 2no equipment cabinets. The cabinets would be sited next to each other and would have combined dimensions of 1.7m in height, 3m in width and 0.7m in depth.

Consultations

Highway Authority - No objections.

Representations

This application has been publicised by letters sent to 19 neighbours. It has also been advertised by Site Notice.

There have been 2 letters of objection. The representations are summarised as follows:-

1. Obstruction on the pavement which is already narrow and uneven.
2. The site is common ground , the siting of a mast there will have an adverse effect on the aesthetics of the green area.
3. It will be visible from houses on Roby Road and spoil the view of the natural green area.
4. There is another site across Pilch Lane East on the other side of the sub station where the mast would be less intrusive. It would be closer to the motorway junction and although visible from the motorway would not be visible from the surrounding houses.

The proposed installation would not cause any obstruction on the footway as the proposed site is on the grassed area adjacent to the footway.

The alternative site one of the objectors suggested has been discounted and is detailed below.

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.

CS2 - Development Principles
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development
CS5 - Green Belt

KNOWSLEY LOCAL PLAN: CORE STRATEGY SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

ENV8 - Telecommunications Developments
National Planning Policy Framework

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

SITING & DESIGN

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 location would be set in by 0.8m from the adopted highway on Pilch Lane East. The column and cabinets would be viewed against a backdrop of mature trees sited within the amenity area. On approaching the site from the north towards the Roby Road junction the installation would be viewed in the context of existing street furniture including standard 10m high lighting columns and taller lighting columns (approximately 20m high) sited around the motorway roundabout junction. The siting is considered to be acceptable and would not be detrimental to the street scene or visual amenity of the area.

The design is typical of a telecommunications installation commonly found on or close to highway. The design is therefore considered to be acceptable and a condition will be imposed to ensure that the equipment is painted green blends in with nearby landscaping.

This location is an alternative to a site close to the Bowring Park site entrance (20/00394/FUL) which was refused prior approval and dismissed on appeal due to the harm caused to Bowring Park and the proposal would be detrimental to the street scene and visual amenity of the area.

The application site is located within the Knowsley Green Belt, however, this is not a material factor when considering this application. In effect the principle of development is agreed due to the provisions of Part 16 of the Town & Country Planning (General Permitted Development) Order and considerations are limited to siting and appearance.

It is therefore considered that on balance the siting and design of the proposal would be in compliance with saved UDP policy ENV8 and Local Plan policy CS19.

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 site would be located a minimum of 47m from the closest residential dwelling in Roby Road. The proposed column and associated equipment would be substantially screened (when the trees are in leaf) from the majority of dwellings in Roby Road/Pilch Lane East. The main exception to this would be Oak House on the corner of Roby Road and Pilch Lane East. The front elevation of this dwelling would be in direct line of sight of the mast , however at 58.8m away the impact on residential amenity is considered to be minimal.

On balance the impacts on residential amenity are considered to be minimal and taking account of the screening and the distance from the closest dwelling there would not be a significant adverse impact on the amenity of local residents.

The alternative site the objectors have referred to the west of Pilch Lane East was considered by the applicant but discounted as the site was far too west to the target areas and would be too close to an existing mast to serve a separate requirement (ref 20/00569/TEL). This technical reason appear to be reasonable, but in any effect is not material to this decision because the development must be considered on its own merits and is considered to be acceptable.

HIGHWAY SAFETY

Highways have no objections to the proposed installation. The applicant should however be informed that the any approval granted does not entitle the developer to obstruct or carry out any works within the adopted highway. Any proposed temporary closure or works will require a permit from the Streetworks team.

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 *"there is a specific requirement for a radio base station at this location to provide enhanced 3G and 4G and new 5G coverage."*

The applicant's Supplementary Information Form sets out 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 - 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:

1. Existing Street Works Pole – SW on Roby Road – No comparable street works solution that can accommodate 5G for both Vodafone and WM02. The site would require significant redevelopment including a new mast of substantial width which would be inappropriate in the street scene.
2. The Derby Lodge, Roby Road – The building is too low to provide the required coverage to the area and is located within the Conservation Area.
3. SW on Roby Road – An application was submitted in July 2021 (20/00395/TEL) for a 20m high street works pole. Prior approval was dismissed on appeal due to the harm caused to Bowring Park and the proposal would be detrimental to the street scene and visual amenity of the area.
4. Bowring Park Interchange – The site is too far west to provide the coverage to the target areas and would be too close to an existing mast to serve a separate requirement (ref 20/00569/TEL).

The applicant's reasons for dismissing the alternative sites are considered reasonable.

Conclusion

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 policy 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 hereby granted subject to the following condition:

1. The equipment hereby permitted shall be painted/coated green in a shade submitted to and agreed in writing with the local planning authority before the equipment is installed. The equipment shall remain that colour thereafter

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
31.05.2023	100	A	LOCATION PLAN
31.05.2023	200	C	PROPOSED SITE PLAN
31.05.2023	301	B	PROPOSED SW ELEVATION

Signed Case Officer¹:

Mark Quinn

**Signed Authorising
Officer²:**



Date:

26/07/2023

Informatives

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 a permit which must be obtained from the

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

Streetworks team. Please email NRSWA.TeamDRES@knowsley.gov.uk for further information.

Appendix 1 – Site Photographs

















