

APPLICATION NO: 23/01975/TEL

CASE OFFICER: Mark Quinn

WARD: Northwood

PARISH:

LOCATION: Land At The Junction Of Park Brow Drive & Bullens Road, Southdene, Kirkby, Knowsley, L32 8UA, ,

PROPOSAL: INSTALLATION OF 15M HIGH SLIM-LINE MONOPOLE, SUPPORTING 6 NO. ANTENNAS, 2 NO. EQUIPMENT CABINETS, 1 NO. ELECTRIC METER CABINET AND ANCILLARY DEVELOPMENT.

Site Description

The application site relates to an area of adopted highway to the front of 27 Bullens Road and at the junction of Bullens Road and Park Brow Road, Kirkby. The site comprises part of a larger tarmac area adjacent to the footway.

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 15m high street column, 6no antennas and 2no equipment cabinets and 1 electric meter cabinet.

The monopole would be finished in grey and the equipment cabinets in dark green. The equipment cabinets would have a maximum height of 1.8m.

Consultations

Asset Management - No comments received.

Highway Authority - No objections.

Representations

This application has been publicised by letters sent to 56 neighbours. It has also been advertised by Site Notice.

Objections have been raised by four Councillors. Cllr Jackie Harris, Cllr Marie Stuart, Cllr Eddie Connor and Cllr Harry Bell).

The objections are on the following grounds :-

1. Both Cherryfield and Northwood residents are looking at the proposed mast which is within the centre of a housing estate.

2. This will attract youth and cause ASB within the area.
3. The highest deprived area in Kirkby is getting all the masts that have been objected to in other wards. Northwood is being used as a dumping ground for phone masts. This is not acceptable Northwood ward have had more than their fair share of masts.
4. This would be an eyesore in the middle of our residents.

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)

H5 - Development within Primarily Residential Areas

ENV8 - Telecommunications Developments

National Planning Policy Framework

Assessment

Siting & Design

Policy CS2 states "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 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 “

Paragraph 115 of the NPPF states “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 application site is in a very prominent location on an area of adopted highway close to the road junction of Bullens Road and Park Brow Drive. The monopole would be highly visible along Park Brow Drive , in particular along the straight section of the road to the north east of the site to the detriment of the street scene and the character of the surrounding area.

The monopole at 15m in height would be considerably higher than any other structures in the area and there is no screening in the form of trees or other landscaping adjacent to the mast to mitigate its impact. This would only serve to accentuate its prominence on the edge of a large area of hard surfacing which is completely open with no other structures other than the road sign.

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

Residential Amenity

Saved UDP 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.*”

Saved UDP policy H5 which states “*New development within the Primarily Residential 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 installation would be sited in close proximity to existing residential dwellings (15m to 27 Bullens Road, 21m to 26 Bullens Road and 25m to 2 Wellfield Avenue).

The mast and equipment cabinets would be visible from main habitable rooms in the nearest dwellings.

Consequently, the mast, by reason of its height and visual appearance, would appear as an intrusive structure , incongruous to the area which would harm the amenities of local residents, particularly given that there is no landscaping or trees to soften or mitigate its visual effects.

The proposal would therefore be contrary to Saved UDP policies ENV8 and H5.

Highway Safety

The Highway team have no objections to the proposed installation however 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.

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 applicant states that there is a specific requirement for an installation on the footway of Bullens Road to ensure that the latest high quality 3G and 4G service provision is provided in this area of Knowsley. They say that the proposed mast will also ensure that new 5G coverage can be provided at this location which ensures that coverage and capacity requirements are maintained and enhanced. A site in this location will fill the gap in service provision and provide high quality, reliable, advanced 3G, 4G and 5G to this urban area of Knowsley.

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:

1. Adopted highway at Junction of Bullens Road/ Park Brow Drive – Discounted due to unresolvable underground services beneath the footway.
2. Adopted highway at Junction of Wellfield Avenue and Park Brow Drive - Discounted due to the footway being too narrow to accommodate the operator's equipment, leading to highway safety issues.
3. Adopted highway at Junction of Hadleigh Road/Park Brow Drive - Discounted due to the footway being too narrow to accommodate the operator's equipment, leading to highway safety issues.
4. Adopted highway at Junction of Edgefold Road/Park Brow Drive - Discounted due to the footway being too narrow to accommodate the operator's equipment, leading to highway safety issues.
5. Adopted highway to the front of 3 Wellfield Drive - Discounted due to the footway being too narrow to accommodate the operator's equipment, leading to highway safety issues.
6. Adopted highway to the front of the sub station on Wellfield Drive - Discounted due to unresolvable underground services beneath the footway.
7. Adopted highway on Wellfield Avenue near St Lawrences catholic primary school. - Discounted due to unresolvable underground services beneath the footway.

Conclusion

The proposed monopole (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 character 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. Consequently, the proposal would be contrary to adopted local plan and saved UDP Policies CS2, CS19, H5 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 reason:-

1. The proposed development would form a highly visible and incongruous development that would be detrimental to the visual amenity and the character of street scene. In particular, this would be due to the height of the mast combined with the way in which the mast and equipment cabinets would be sited and having regard to their prominent position. The mast would also result in significant harm being caused to the amenity of nearby residents by way of causing a poor outlook from habitable rooms. 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, DQ3 and ENV8 of the Knowsley Replacement Unitary Development Plan adopted June 2006 and guidance in NPPF (September 2023).

Signed Case Officer¹:

Mark Quinn

**Signed Authorising
Officer²:**



Date:

13 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

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