



SITE PHOTOGRAPH

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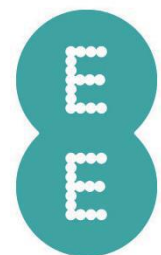


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Rev	Originator	Approved	Date
0	Name	Name	Day/Month/Year
1		Martin Brown	September 2022
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Introduction

This Planning Supporting Statement has been prepared by the Harlequin Group on behalf of EE Limited. The statement is provided in conjunction with the Supplementary Information Template, drawings and supporting material that was submitted with this planning application in support of the application to install a 20m high Hutchinson Engineering Phase 8 Pole and associated ancillary equipment at the above address.

In accordance with the Code of Best Practice on Mobile Network Development and published Government guidance, this proposal was drawn up having regard to the need for good design. This statement sets out the most relevant considerations in respect of the proposed development. This provides context for the proposal, reasoning, technical justification and planning constraints, policy guidance and alternatives.

In particular:

- Considerations of design and layout are informed by the context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology all help to determine the character and identity of the development.
- The scale, massing and height of proposed development have been considered in relation to that of adjoining buildings; the topography, the general pattern of heights in the area; and views, vistas, and landmarks.

The following general design principles have been taken into account in respect of this proposed telecommunications development:

- A proper assessment of the character of the area concerned.
- That the design shows an appreciation of context;

1.0 Proposed Development

1.1 The Site

The proposed 20m high Hutchinson Engineering Phase 8 pole will be located at above address, on a section of grass verge to the east side of Renaissance Way, adjacent to the access into Seqirus. The proposal is to provide increased mobile phone coverage to the individuals using this part of the West Coast Mainline as it passes through the area. Avanti West Coast also utilise EE's 4G network for the connectivity of the on board wi-fi on WCML services, so it is vital that there is continuity of coverage in order for the wi-fi to operate. The site will also provide improved coverage to the immediate surrounding area as a further benefit, much of which experiences poor coverage indoors given the scale of the surrounding built environment. The proposal has been situated in close proximity to the rail line in order to, as much as possible, 'overlook' any vegetation, built environment, embankments or cuttings that line the tracks. The site location has been chosen as, although the installation would be visible to passing road users in the immediate area, albeit that there is existing established vegetation along its curtilage that would provide a strong degree of screening. Additionally, the site will also form part of the new Emergency Services Network that will replace the existing radio service used by the emergency services throughout the country.

The site is not within any sensitive land designation, nor is it in close proximity to any listed buildings. There are no nearby residential properties as previously stated, given the location within the Boulevard Industry Park.

For the site to be fit for purpose, the antennas must have a clear line of sight, so the site has been designed to a height so as to provide the necessary coverage with a clear view for the antennas to provide signal up and down the track.

After further investigation, the height of the mast has been decided by EE's Radio engineer as the lowest capable of providing the minimum required coverage and thus any further reduction in height would render the apparatus redundant.

Aerial View of Site



1.2 Application History

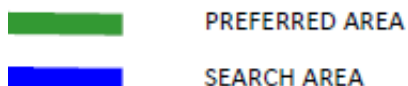
The requirement for a new mobile phone base station in the area is to provide improved mobile phone coverage for individuals utilising the rail at this location, local residents, businesses and the emergency services who will also utilise this particular mast.

On searching the Council's online planning portal, there are no other known records of any planning applications or prior approval applications relating to telecommunications development at the application site.

1.3 Technical Justification

The requirement for a mobile phone base station in the area is predominantly to address a gap in EE coverage and provide improved 2G voice and 3G/4G data coverage for travellers on the adjacent section of railway line. In addition, enhanced coverage will be provided to EE's network in this area including residents, visitors, and businesses. EE's Radio Engineer has confirmed that there are no similar structures to locate to or optimise in order to provide the required coverage to this section of the railway line as such a new cell is required to fill the coverage gap. Additionally, as previously highlighted this site will also form part of the new 4G Emergency Services Network ("ESN") that will replace the existing Airwave TETRA radio service used by the emergency services (including the Police, Fire & Rescue and Ambulance services) to communicate.

The map below illustrates the area of coverage required along the railway line – this document was provided by EE Ltd.'s Radio Engineer following relevant signal testing on the railway line:



The above map illustrates the search area for the required base station to provide the coverage to the railway track (green) within which a location may be suitable from a radio perspective to provide coverage. The site location has been selected as there is very limited coverage, if any, along this section of the railway line, where the signal strength is inadequate to provide the minimum acceptable level of coverage. The proposed column would provide coverage along the required section of track and also provide enhanced coverage and capacity in the network for both train passengers and indeed the surrounding area, many of whom currently experience poor indoor coverage.

1.4 Alternative Site Assessment

Given the extent of the search area in this instance, along with the identified any constraints, only six options were considered as appropriate within the Search Area, with five additional sites discounted as highlighted below:

Discounted Options & Reasons

Option 1- Segirus Site 7 (Gate A) GF

Address: Segirus Site 7 (Gate A) Loading Bay, North Road, Speke, Liverpool, L24 9JW
NGR: 344111, 384388

Highly industrial streetscape setting where such infrastructure would be supported as a compatible use. The existing warehouse building provides a solid backdrop and context against which the proposal would be viewed within. Existing vertical structures including streetlights, CCTV towers and in particular numerous pylons would provide an excellent visual context against which the mast would be viewed, and therefore not likely to be considered as being visually incongruous within this setting. However, after further correspondence, the site provider advised that there is extensive underground services in the area which would mean that we could not safely install the equipment here.

Option 2 – North Road SW1

Address: Grass verge off North Road, Speke, Liverpool, L24 9JW
NGR: 344122, 384430

A slightly more open site than that of option 1, however, existing trees provide a good degree of screening from the residential properties located across the railway to the north and an appropriate backdrop when viewed from North Road. Additionally, existing rail infrastructure, pylons, and streetlights provide a strong visual context in regard to vertical structures and therefore, a SW option is not likely to be considered as being visually incongruous within this setting. This would also be the case in respect of outlook from any of the residential properties to the north of the railway line.

However, this location was considered less favourable when compared to the proposal given that residential properties will have a line of sight on this discount.

Option 3 – North Car Park A Pylon

Address: Pylon located within North Car Park A, North Road, Speke, Liverpool, L24 9JW
NGR: 344215, 384452

Was reviewed but could not be safely installed to the apparatus and therefore must be discounted.

Option 4 – North Road SW2

Address: Wide grass verge off North Road, Speke, Liverpool, L24 9JW

NGR: 344354, 384442

Similar to the above options, this location was considered less favourable when compared to the proposal given that residential properties will have a line of sight on this discount and less of a natural backdrop.

Option 5 – Land West of Welland Close GF

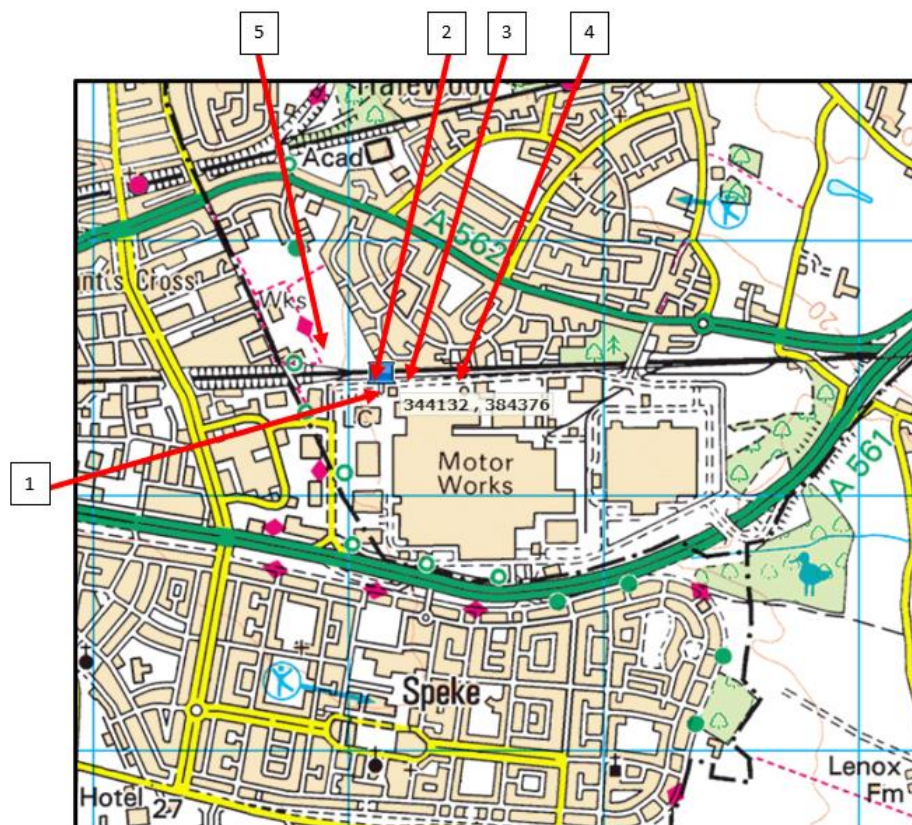
Address: Land West of Welland Close, Liverpool, L26 1UP

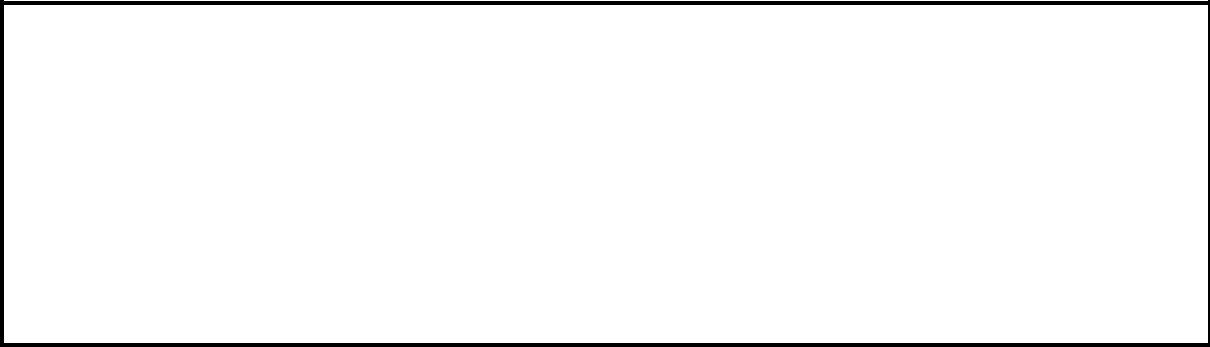
NGR: 344028, 384529

Much more open in nature to the other 4 options and therefore less preferable from a planning perspective. Additionally, potential for objections from residents of the housing estate to the east in respect of outlook, albeit that at present this outlook does include part of the industrial estate as well as existing tall vertical structures meaning that any proposal at this location would not necessarily be viewed as being visually incongruous with regards to outlook. Large mature trees would provide a solid backdrop which the mast would be viewed against, minimising any visual prominence and subsequent impact as far as is practicable.

Not considered as good an option as the proposed site.

Map of Discounted Options





1.5 Additional Justification

National Infrastructure Commission Report Commitment (December 2016):

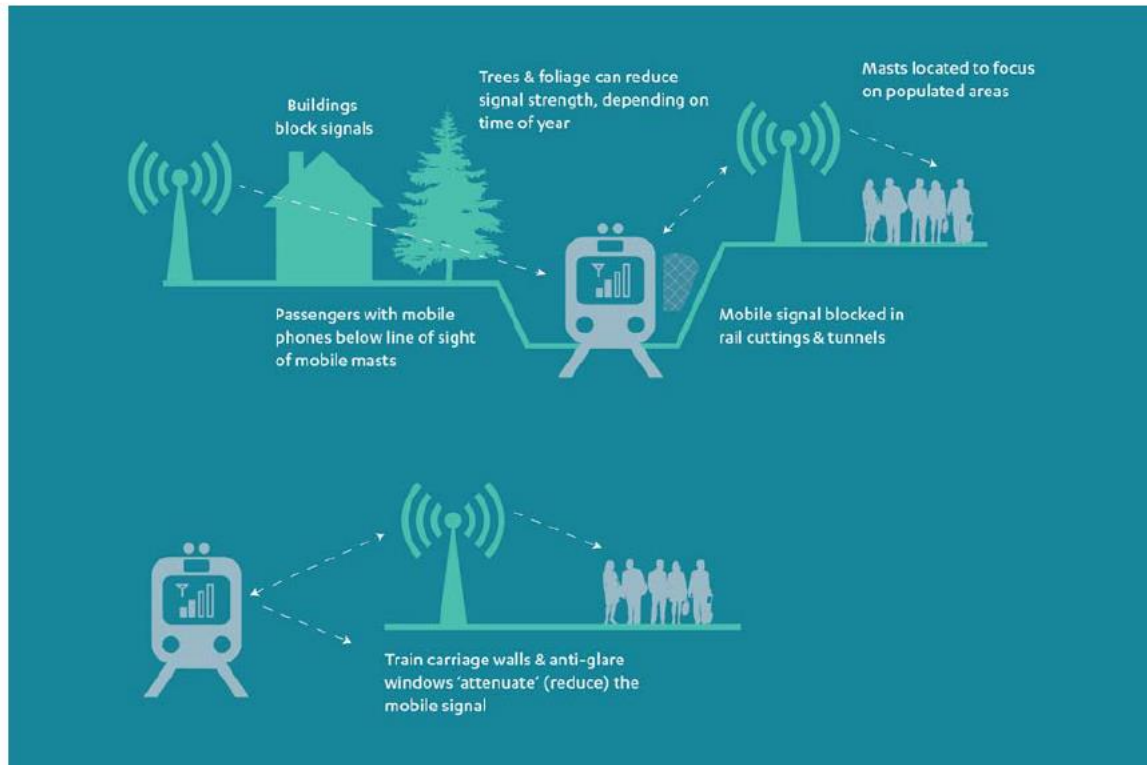
Within the National Infrastructure Commission Report published in December 2016, specific recommendations are made to help improvement in the improvement in seamless connectivity for mobile phone coverage for rail passengers and its importance for an open and accessible backhaul network fit for the future and the implantation of 5G technology.

An excerpt of this report has been included as supplementary information to this full planning application to demonstrate the importance of the implementation and delivery of structures such as this site in question.

The National Infrastructure Commission reaffirmed the urgent requirement for vastly improved data and voice mobile phone coverage on trains in its July 2018 report. This proposal works towards this overarching aim by providing mobile phone coverage on commuter routes such as this one.

Network coverage on railway lines is particularly poor, this will be recognised by anyone, on any network, who has tried to sustain a phone call on a train for any period of time – we would imagine also the Inspector. One of the main reasons for this is the inherent characteristics of the railway line itself with the use of cuttings and trees to line the track, especially through suburban areas.

Figure 6: The challenges of providing train connectivity



This is perfectly captured by the above image, taken from the 2016 National Infrastructure Commission Report – Connected Futures. This Report captures the current coverage issues well – and the importance of having antennas close to the railway line.

Emergency Services Network Requirement (ESN):

In 2015 EE Ltd. won the contract from UK Government to deliver a mobile network specifically for all blue-light emergency services across the country to provide a seamless 4G mobile service. The communications system will be critical in improving response times and improving communications between all of the blue-light services and providing critical infrastructure across the length and width of the United Kingdom. EE have committed to add over 500 new 4G sites to accommodate this commitment in that will eventually replace the existing Airwave TETRA radio system.

This EE proposal will form part of the new 4G emergency services network and should be considered critical infrastructure within the UK to support the local community in perpetuity.

Shared Access – The Benefits of Mobile Technology

Mobile phones and other similar communication devices are ubiquitous both for business and personal use. Mobile connectivity is now about fast, secure access to the internet anywhere. People and businesses are increasingly choosing to access the internet using a mobile device, and the numbers doing so are growing, as ownership of internet-enabled devices rises.

Smartphones are integral to people's lives as mobile devices supporting a growing range of functions from communication to navigation, to use as principal sources of news media, cameras, diaries and numerous other functions.

Overall, 94% of adults personally own/use a mobile phone with 52.4 million 4G mobile subscriptions. The proportion of adults in the UK with a smartphone has now reached 76% (as of 2017), with 18% of adults living in a mobile phone only home. Increasing coverage and take-up of higher speed 4G services is driving data use. The average volume of data consumed per subscriber per month is now 1.9GB.



Economic Benefits

Modern communications in all of their different and emerging forms, including mobile communications, help maintain and stable levels of economic growth and employment. Hence, the UK Government's continued commitment to the growth and development of modern electronic communications. These benefits include:

- Improve the ability of local businesses to operate and compete effectively through access to modern communications thereby helping to maintain and increase local employment opportunities.
- The contribution to the national economy is also significant where all businesses, from large to small, benefit from modern communications that helps them maintain and attract new business and service contracts in a responsive and competitive manner.
- Improve coverage over transport and infrastructure networks which improves the ability to work on the move and improve economic efficiency



Environmental Benefits

Modern communications, including mobile communications, provide effective protection of the environment by helping reduce the need to travel by enabling modern working practices such as greater home working. Such practices alleviate the pressure for new commercial development such as offices, through more efficient and flexible use of existing accommodation. For the same reasons, modern communications, including mobile communications, help ensure the prudent use of natural resources.



Social Benefits

Modern communications, including mobile communications, aid social progress, which recognises the needs of everyone. These improvements manifest themselves in a number of ways as illustrated by the following examples:

- People are now more likely to access the internet using a mobile connection than they are to have just a landline or to access the web through a fixed connection.
- Connecting to the Internet via a mobile device allows people to access a wide range of central and local government services; to do research for a school projects or apply to university; to manage their bank account and pay bills; to apply for a job; or to buy groceries.
- Most local authorities' services are now available online, and many councils have recognised the growth of smartphone use and introduced mobile phone applications to provide instant access to services, or to allow residents to report litter, dumped rubbish, pot holes and road repairs, or anti-social behaviour.
- Mobile devices enable flexible forms of working that provide opportunities to working parents or carers and help them achieve a better work life balance with both family and community benefits. By providing means of communication that improve convenience and enhance personal safety and security. This is especially important to vulnerable groups who may otherwise feel unable to participate in certain activities.

2.0 Planning Policy

This section sets out the most relevant national and local planning policy concerning the proposed development.

2.1 National Planning Guidance

National Planning Policy Framework (NPPF 2021)

Planning policy is provided at the national level by the National Planning Policy Framework (NPPF). It is a material consideration in planning decisions. The NPPF is pro – development with a 'presumption in favour of sustainable development' seen as a golden thread, running through both plan making and decision taking'. The thrust of this guidance is positive and a reminder to LPAs that we need to build the requisite infrastructure to enable economic growth. In this regard the Framework can be summarised as follows:

- Government policy is to support high quality communications infrastructure and systems, as essential for sustainable economic growth;
- Government policy is to keep the inevitable environmental impact associated with electronic communications development to the minimum;
- The keyway to minimise environmental impact is to avoid the unnecessary proliferation of new radio masts and sites;

- Great weight should be given to conserving landscape and scenic beauty in certain specified designated landscapes, e.g., National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, etc.;
- The emphasis on minimising environmental impact is greater per the sensitivity of the site. The emphasis on exploring and utilising site sharing opportunities is consequently higher in these circumstances;
- Best practice encourages a consultative approach and one that seeks to minimise potential visual impact and
- The starting point for planning new networks or the expansion of existing networks is, therefore, to use existing electronic communications sites owned by other operators or radio site management companies.

The NPPF as a whole is aimed at encouraging a more positive approach to town planning. While the NPPF builds environmental protection into the definition of sustainable development, there is also a very clear emphasis that local planning authorities should be looking for ways to help development come forward and not reject applications simply on environmental grounds. This is emphasised in paragraph 10 of the NPPF, which states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. The NPPF recognises that this is especially relevant where a development might have other significantly important benefits such as being essential to meet, for example, sustainable economic growth or a national need which can include upgrading to or the provision of new infrastructure.

It is important to reflect on some key points within The Framework which are relevant to the very important development at this site and the general planning principles that should apply when determining the merits of the application:

- a. Paragraph 7 advises that the purpose of the planning system is to contribute to the achievement of sustainable development. It then states that: “At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.” [our emphasis];
- b. Paragraph 11 advises that authorities should:
 - “*positively seek opportunities to meet the development needs of their area*” [as part of plan making];
 - meet objectively assessed needs unless the adverse effects would “*significantly and demonstrably outweigh the benefits*”;

As such, development proposals that accord with the provisions of the Development Plan should be approved without delay. In respect of this guidance, the following sections of this statement demonstrate that the proposed development accords fully with all relevant Development Plan and NPPF policies and, therefore, permission should be granted for the development.

The importance of the proposed development in providing the upgrading and expansion of the existing communications network is clearly an important material planning consideration as it directly supports sustainability and is also precisely the type of new digital infrastructure that the NPPF is seeking to support. The development proposed is comparatively small scale, sited where the principle of telecommunications development (existing Network Rail mast) has been long established and therefore accepted, designed in a way that is predominately consistent with the existing infrastructure setup and so should be acceptable in every respect.

However, for completeness we still highlight some of the key points within the NPPF as they help demonstrate why the application should be permitted:

Paragraph 20 advises that strategic policies should *“make sufficient provision* Paragraph 7 advises that the purpose of the planning system is to contribute to the achievement of sustainable development. It then states that: *“At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.” [our emphasis];*

Paragraph 20 advises that strategic policies should *“make sufficient provision for.....telecommunications”* and that it should *“be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances”*

Paragraph 38, on “decision-making” states that authorities should *“work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible”*.

The NPPF builds on the aspiration to build a strong, competitive economy. Paragraph 80 states: *‘Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking in to account both local business needs and wider opportunities for development. The approach taken, should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation⁴⁰’...*

Footnote 42 of the NPPF states: *‘The Government’s Industrial Strategy sets out a vision to drive productivity improvements across the UK, identifies a number of Grand Challenges facing all nations, and sets out a delivery programme to make the UK a leader in four of these: artificial intelligence and big data; clean growth; future mobility and catering for an ageing society. HM Government (2017) Industrial Strategy: Building a Britain fit for the future’.*

The NPPF (2021) directly addresses the need for enhanced wireless communication services, first mentioned in paragraph 20, which states that an LPA’s strategic policies must make sufficient provision for:

“b) infrastructure for transport, telecommunications (our emphasis), security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)”

Leading on from this, paragraph 114 states that *“Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. 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. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time.....”*. This wording echoes guidance set out in paragraph 42 of the 2012 version of NPPF. However, unlike the previous version it also includes the importance of reliable communications infrastructure for both economic growth and social well-being.

While supported, paragraph 115 of the NPPF retains the requirement to minimise the number of installations consistent with the efficient operation of the network but also includes being consistent with the needs of consumers and providing reasonable capacity for future expansion.

Paragraph 118 retains the guidance set out in previous versions of the NPPF version and states 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”.

As can be seen from the above, the NPPF clearly acknowledges the benefits of modern electronic communications and seeks to encourage such development as being essential due to their role in supporting a modern economy, contributing to sustainable objectives, and enhancing local community access to a range of goods and services. Local planning authorities are advised to respond positively to proposals for electronic communications development and this must include an understanding of the associated special problems and technical needs of developing and upgrading communications networks.

Public benefits are defined within the NPPG and could be anything that delivers economic, social or environmental progress. Benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Where Impacts on heritage assets are predicted section 16 of the NPPF provides clear guidance on how any such predicted impacts should be addressed. Whilst the conservation of the asset must be given great weight in terms of the impact of development on its significance, where such impacts result in less than substantial harm to its significance the harm should be weighed against the public benefits of the proposal. **(Paragraph 202).**

Code of Best Practice on Mobile Network Development in England (March 2022)

The Code of Best Practice has been fully revised in March 2022 and is now even more supportive of mobile network provision in line with Government aspirations that everyone should have access to the information super highway no matter where they are located whether that be in rural or urban areas. This Code provides guidance to mobile network operators, their agents and contractors and equally to all local planning authorities in England. It supersedes the Code of Best Practice on Mobile Phone Network Development (2016).

The principal aim of this Code is to support the government’s objective of delivering high quality wireless infrastructure whilst balancing these needs with environmental considerations.

It also has an important role in making sure that appropriate engagement takes place with local communities and other interested parties.

The development of such infrastructure must be achieved in a timely and efficient manner, and in a way, which balances connectivity imperatives and the economic, community and social benefits that this brings with the environmental considerations that can be associated with such development. The Code also has an important role in making sure that appropriate engagement takes place with local communities and other interested parties. The Code also highlights that wireless technology continues to evolve rapidly, and mobile devices are now capable of much more. Second generation (2G) technology gave us voice calls and text messages, 3G led to the launch of smartphones, and 4G, which enabled faster browsing, allowed us to do things like watching videos on the move. 5G, the latest generation of wireless technology, is much faster than previous generations of wireless technology and can offer greater capacity and lower latency, allowing thousands of devices in a small area to be connected at the same time. 5G networks, and future mobile generations, will be vital for a range of Internet of Things uses (IoT) and Smart City applications.

The Code highlights that local planning authorities should support the deployment of digital infrastructure by:

- *Incentivising connectivity*: support the expansion of telecommunications networks, and take a 'joined-up' approach to the wireless infrastructure planning process, including ensuring that Local Plans effectively support the deployment of digital infrastructure.
- *Facilitating sites*: engage with operators when new sites have been proposed and discuss site requirements.
- *Engagement with operators*: respond positively to requests for engagement and make decisions in line with national policy and Local Plans. For planning applications, find solutions to issues and ensure timely decisions are made.
- *Information and communication*: ensure that members of the public can access information about any development proposals within their local area. Send communications promptly to an appropriate operator contact (or their representatives).

The Code highlights the Government's Communications Policy and Planning Policy. It acknowledges that digital connectivity is vital to enable people to stay connected and businesses to grow. Fast, reliable digital connectivity can deliver economic, social and well-being benefits for the whole of the UK. The Code indicates that recent changes in planning policy [and regulation] are intended to align with Government communications policy, where the ultimate goal is to achieve mobile coverage wherever it is needed. Furthermore, Section 2 of this Code also reiterates NPPF guidance in strongly supporting high quality communications infrastructure, which is seen as essential for sustainable economic growth.

The Code acknowledges that there are special operational and technical considerations associated with mobile network development, which have changed over time due to changes in technology and associated changes in demand. The Code acknowledges that all wireless network installations are principally guided by the technical need for the site and the technical constraints placed upon transmitting a signal. It then goes on to state that "the three primary technical and operational considerations for installation sites are: ensuring that wireless infrastructure provides an appropriate level of coverage over the intended geographical area;

ensuring that sites have sufficient capacity to meet user demand; and requiring a connection to the wider network 'backhaul'.

It then goes on to state that "With the introduction of 5G, more equipment will be required to provide coverage and capacity. 5G, as well as 4G, are data-driven technologies, and high volumes of data will be transmitted between base stations and wireless devices. 5G will require a denser network of base stations than previous generations, including more fixed line fibre optic cable for reliable and high capacity backhaul. The siting of 5G installations will be more constrained and guided by these special technical and operational considerations.

Due to the scale and technological constraints of 5G equipment, in some cases previous camouflage design solutions, such as tree mast designs and concealing antennas in flagpoles, may not be practicable or suitable. In these cases, simple designs with particular attention to colouration and finishes may help reduce visual impacts on a site-specific basis".

In acknowledging the considerations of new technology such as 5G, the revised Code continues to advise that this does not mean that there will not be a need for any new base stations. Indeed, for example, more base stations will be needed in areas where there has previously been only limited or no coverage and where coverage and capacity needs to be enhanced in line with Government commitments and customer demand. Similarly, some new sites will be required to replace existing sites that are lost, for example, through redevelopment of an existing building. Some masts may need to be redeveloped or replaced to enable an upgrade in services to take place.

Section 5 relates to mobile connectivity in the 21st Century, explaining that mobile phones and other devices are now everywhere. Mobile connectivity is not just making calls and texts but also mobile broadband. The majority of mobile phones in the UK are Internet enabled smartphones and large numbers of people also now own tablet devices. People are increasingly choosing to access the internet using a mobile device even when they have fixed broadband connection available.

The Code acknowledges that by the second decade of the 21st Century, the greatest increase in traffic across mobile networks was in data i.e., internet use (para 5.3). Paragraph 5.4 states that in terms of the wider economic impact of mobile connectivity, research by Deloitte on the economic impact of mobile broadband across a range of countries, showed that a doubling of mobile data use leads to an increase of 0.5% in the Gross Domestic Product per capita, while another study put the benefit of 4G mobile broadband to the UK economy at £75 billion over a decade. Section 5 of the Code goes on to highlight that connectivity promotes social inclusion. In recent years, more people rely on a mobile phone than they rely on a landline. Furthermore, people on lower incomes are even more likely to live in a mobile only household, or to access the Internet using a mobile connection (para 5.5).

The Code highlights that planning authorities, and those who represent rural areas, should recognise the importance of access to reliable mobile broadband and services for those who live and work in rural communities, including coverage for the emergency services network. The benefits of high-quality wireless connectivity to the rural economy are far reaching - better wireless infrastructure will give rural communities greater choice and access to services, allow businesses to grow, and have positive impacts on healthcare, education, tourism, and remote working.

2.2. Local Planning Policies

In terms of Local Plan Policies, by virtue of Section 70 of the Town & Country Planning Act 1990 [further enshrined in section 38(6) of the Planning and Compulsory Purchase Act 2004], development should be in accordance with development plan policies, unless material considerations indicate otherwise.

The Local Plan for the area comprises the Liverpool Local Plan (adopted 2022)

The Local Plan sets out the quantum and preferred locations of development to be achieved in the period up to 2033. This will create demand for new infrastructure provision and improvements to existing facilities and services. Therefore, if sustainable communities are going to be created and a lack of infrastructure is not going to act as a barrier to new investment, it is imperative that the right type and level of infrastructure is provided at the right time.

Therefore, new development proposals should be adequately supported by infrastructure and contribute to the provision of infrastructure identified as necessary to support the development proposal. In line with national policy, infrastructure in this context is widely defined as: physical infrastructure (including transport, water supply, wastewater, energy, telecommunications, utilities, flood risk, waste and minerals); social infrastructure (including health, social care, education, security, community and cultural facilities); and green infrastructure (including open spaces, playing pitches and playing areas).

Policy STP4 Infrastructure Provision

1. New developments should make use of existing infrastructure capacity where possible.
2. Where new development is likely to create an identified shortfall in infrastructure capacity or exacerbate existing deficiencies, developers will be required to adequately mitigate or compensate for those deficiencies, in line with Policy STP5 – Developer Contributions, either through:
 - a. Providing new on or off-site infrastructure provision; and/or
 - b. Making payments through a Community Infrastructure Levy or other developer contribution procedure.
3. Measures to address capacity issues will be required to be in place in a timely and phased manner.
4. Applications for the provision of new infrastructure will be supported where they are required to help deliver national priorities and locally identified requirements and where their contribution to agreed objectives outweigh the potential for adverse impacts.

As part of the Liverpool City Region the Council recognises that the implementation and maintenance of effective communications infrastructure within the Borough are essential to the development of the local economy and for the benefit of the local community.

With the growth of services such as mobile internet access, demand for new telecommunications infrastructure is continuing to grow. However, the Council is committed to ensuring that such developments are appropriately designed and sited in accordance with the principle of minimising impacts.”

Planning Assessment

The necessity for the site is outlined in detail within the Technical Justification section above. The site will predominantly provide improved coverage on the railway line for passengers but will also benefit local businesses and EE customers too. The necessity of the site falls in line with the National Infrastructure Commission’s Report “Connected Future” – an excerpt of which is included as part of this application.

3G and 4G signals by their very nature (as they carry high data rates) do not penetrate over long distances, (5G even less so), just a few hundred metres, depending on the topography of the land, building clutter and vegetation including trees in the area which can reduce their effectiveness. Therefore, 3G and 4G (as well as 5G) radio base stations need to be close to their required coverage area, which in turn limits the extent of any search area.

In terms of siting, the proposal has been situated in close proximity to the rail line in order to, as much as possible, ‘overlook’ any vegetation and/or buildings that line the railway. In terms of the site, while there is some elements of natural screening, it is considered that in this instance any consideration of screening would not be as necessary as in some instances, given the location of the site within an industrial setting with no nearby residential properties or views of the site from out with this industrial landscape. Furthermore, the proposed site has been selected as it is in close proximity to the railway line to which it would serve. Additionally, there is plenty in the way of vertical context in this instance, as well as mass of surrounding buildings meaning that the proposal would not be overly visually prominent within the streetscene setting to any significant detrimental or demonstrable degree.

Local Plan policies UD1 and UD2 require new development to achieve a high quality of design, taking account of scale, density and massing, any loss of amenity or privacy to adjacent residents and through well considered design, layout and use of materials. To this extent, the proposal would be simple in design to reflect its use.

In respect of the amenity, there are no nearby residential properties that would potentially be affected as a result of the proposal.

In this instance there is no option to site share and therefore the need for a new site is justified. There is no existing infrastructure within the search area. Given the above, it is therefore considered that the proposal would support businesses and communities, particularly that of railway travel who can sustainably travel via rail travel. These public benefits would clearly outweigh any potential impacts in the overall balances planning judgement.

Telecommunications apparatus by their very nature must be taller than surrounding built and natural form to ensure its efficient operation. The Code of Best Practice explains this

requirement fully in paragraph 3.1, *'radio signals operate like light and must "see" over the target coverage area...'*

Additionally, the Code of Best Practice explain that there is now far greater emphasis that visual impact should not override significant radio planning requirements to achieve mobile coverage to a particular area, particularly with the need to support the massively growing and intensifying demand for mobile communications across the UK. Indeed, in terms of looking to meet operational needs, the Code of Best Practice emphasises that the NPPF now applies a reduced policy test compared to previous guidance. This helps clarify that an operator is only required to satisfy the normal test of acceptability having regard to all material planning circumstances, rather than looking for the 'optimum' solution as required under the former PPG8.

In consideration of the NPPF and the above referenced policy, it is our belief that the development proposal meets the requirements of national and local policy whilst having regard to technical and operational factors and providing the necessary level of coverage to this section of railway line and the surrounding area.

Our choice of a slimline pole design is considered to further reduce any visual impact as the resultant massing of proposed development would be reduced using this design solution. Given the aforementioned it is not considered that the proposal would have any adverse or demonstrable visual impact in terms of the landscape or surrounding public viewpoints to any significant degree that, when considering the public benefits of the proposal, would merit refusal of any planning application.

As has been shown, it is clear that the Government places significant importance on reliable communications and as such the Planning Inspectorate gives significant weight to the public benefit arising from local service provision. The issue of benefits and planning balance is considered in Appeal Ref: APP/L1765/W/18/3197522 (Land at the junction of Andover Road and Athelsan Road, Winchester for the erection of a 17.5m street works pole).

Furthermore, the Government places significant importance on reliable communications and as such the Planning Inspectorate gives significant weight to the public benefit arising from local service provision. The issue of benefits and planning balance is considered in Appeal Ref: APP/L1765/W/18/3197522 (Land at the junction of Andover Road and Athelsan Road, Winchester for the erection of a 17.5m street works pole).

The Inspector found at Paragraph 9 *'The Government places a high priority on the provision of high quality communications. The National Planning Policy Framework (the Framework) at Paragraph 112 states, "Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. 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". In this instance, the proposal is not so much seeking to provide significantly higher standards but to maintain recent local provision of 2G, 3G and 4G services as a result of a notice to quit from a nearby site that was providing these services. The Council has commented that service provision would be 'adequate' without the proposal, but the appellant has an obligation to provide not only appropriate coverage but also capacity for the network. I attach significant weight to the public benefit arising from the continuation of local service provision'.*

In addition to the above, this issue of public benefit and planning balance was also considered in Appeal Ref: APP/X5990/W/3162918 (55-59 Oxford Street). In this case, the Inspector found at Paragraph 20 *'Whilst I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, the above factors lead me to conclude that there is less than substantial harm to the character and appearance of the existing building and the SCA. Therefore, whilst there is some conflict with WCP and UDP policies, the less than substantial harm that I have identified is outweighed by the clear public benefits of the proposal in maintaining and improving vital communications infrastructure at an important location'*.

In line with the requirements of NPPF, there are no existing telecommunications installations for the operator to share that would provide the necessary coverage to the target coverage area of railway line. Similarly, there are no buildings which are suitable and available that the operator could utilise to operate and host their equipment. Furthermore, as mentioned earlier potential site options are limited in this instance given the location of the high-pressure gas line.

The proposal fully accords with the main aims of the policy in this instance. The proposed works are not to the visual detriment of the surrounding area that would outweigh the public benefit of the proposal in accordance with the NPPF.

As previously mentioned, EE Ltd requires a site for a new installation in this location to provide coverage to the section of railway at this location as well as the immediate locale. Without this installation, there would be an adverse impact on those that rely on this vital service and coverage from an economic, social and environmental perspective. Not least the Emergency Services who will also be reliant on the coverage the proposed installation will provide in the future via EE's 4G Emergency Services Network (ESN). This demonstrated the public benefit of the proposal.

We would again reiterate that we believe that we have demonstrated that the telecommunications development, having regards to the technical and operational constraints, has been designed to minimise environmental and visual impacts through careful siting and design choices. The proposal complies with both national and local planning guidance and as such it is considered to provide the best location from both a technical and town planning view.

In addition to the above, a mast of a height of 13m would in fact benefit from the National granting of planning permission subject to conditions, which in this instance is the requirement to submit an application to the council in order to determine whether the prior approval of the council would be required on matters of siting and design alone. This height only represents half of the permitted height in this regard, which was increased to 30m as of April 2022.

The proposal would be in compliance with the main policy consideration as set out above, both at Local and National Level.

Any information required regarding location, height of antennas, frequency etc. can be found in the supporting documents, which are submitted as part of this prior approval application. As noted below, an ICNIRP certificate has also been enclosed. We are of the opinion that this proposal is compliant with all relevant planning policy, as noted above, and could therefore be supported by your department.

3.0 Access

Under section 42 of the 2004 Act, access requirements both to and around the site should be considered. It must be considered that this site is for telecommunications purposes only.

3.1 Construction and Maintenance

Access to the proposed site location would be taken directly off the adjacent road. Maintenance visits are required approximately every six months by an operative with a light vehicle. Consequently, it is not envisaged that access to the site would cause traffic management or other issues; whilst the tunnel under the rail bridge is tight this has been measured by our build manager to ensure that it can be safely used for installation. During the construction process all build and maintenance regulations will be complied with. Proof of compliance can be confirmed closer to the time of construction if necessary. It should be noted that all utility providers, which includes EE Ltd, adhere to the National Joint Utilities Group (NJUG) guidelines for installation equipment near to trees. In this instance, we have designed the site far enough from the trees in this area so that it does not have an impact on any tree root systems.

3.2 Public Access

Radio base stations are not designed to be accessible by the public. Therefore, no specific public access provisions are required to be incorporated into the design of the proposal.

4.0 Regulatory Statement

EE is authorised to operate a public electronic communications network and supply public electronic communications services under the provisions of the Telecommunications Act 1984, the Communications Act 2003 and the Electronic Communications Code (Conditions and Restrictions) Regulations 2003 and aims to meet all reasonable customer demand for that service.

OFCOM statistics show that in 2013 mobile phones are owned / used by 92% of UK adults. This demonstrates the vital role mobile communications play in the social and economic wealth of the country. Whilst the vast majority of the UK now benefits from mobile coverage there are still spots without coverage. EE under their communications code licence to run a public communications network are duty bound to provide equal coverage to all areas of the UK. This is why the need for communications systems should not be tested by Local Planning Authorities, as it is for the communications code operators to determine locations where coverage is required and demonstrate in evidence.

The development proposed is to provide improved mobile phone coverage to the users of this section of Railway; the installation will also provide greater mobile phone coverage to local residents in the immediate locale. Emergency services will also utilise this particular mast.

5.0 Health and Safety

Telecommunications planning guidance states that it is not for the local planning authority to seek to replicate through the planning system controls under the health and safety regime as it is a matter for the Health and Safety Executive. The Government guidelines state that

provided a proposed base station meets the ICNIRP guidelines for public exposure, then it should not be necessary for the local planning authority to consider the impacts of health concerns.

A certificate confirming compliance with the relevant ICNIRP guidelines on public exposure has been supplied with this application.

The ICNIRP guidelines seek to protect against the well-known thermal effects of radio emissions and include a significant precautionary factor. These guidelines apply to all forms of electronic communications and mobile technology is one of the lowest powered of these.

6.0 Conclusions

The requirement for a new mobile phone base station in this area is to provide improved mobile phone coverage for individuals utilising the rail at this location, local residents, visitors, and businesses. This site will also form part of the new Emergency Services Network that will replace the existing radio service used by the emergency services.

The telecommunications installation proposed as set out in this application has been designed and sited having regard to technical, engineering and land use planning considerations in order to minimise its impact on the local environment. The mast height is the minimum required in order to ensure operational efficiency - a structure with such a height is needed in this locality due to the existing landscape and operational requirements of the proposal.

The proposed location has been chosen as it is ideally situated to provide adequate coverage whilst minimising any perceived negative visual impact on the surrounding streetscene with a natural backdrop of the railway infrastructure which it would serve minimising any visual impact of the proposal and ensuring it would not be viewed as being visually incongruous within the general setting. Any visual impact would therefore be localised to the site itself. Additionally, the Code of Best Practice explain that there is now far greater emphasis that visual impact should not override significant radio planning requirements to achieve mobile coverage to a particular area, particularly with the need to support the massively growing and intensifying demand for mobile communications across the UK.

In relation to planning policy, in accordance with the guidance set out in the NPPF and Local Policy, a thorough search of the area has been undertaken and revealed that there are no existing masts or other structures suitable. Therefore, the development of a new ground-based mast site is justified. In addition, national policy clearly supports sustainable development and states that any development which seeks to improve telecommunications infrastructure should be supported in principle. The proposal is also consistent with general and generic policies of the Development Plan in this instance.

In conclusion, the application is for sustainable development, acceptable as a matter of principle in that it benefits from the national granting of planning permission as permitted development, subject to the condition that this application to the council is submitted in order to determine whether their prior approval is required on matter relating to its siting and appearance.