

<u>APPLICATION NO:</u>	23/01983/TEL	<u>CASE OFFICER:</u>	Mark Quinn
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	Grass Verge Between Okell Drive & St Ives Way, Halewood, Knowsley, L26 7YW,		
<u>PROPOSAL:</u>	THE INSTALLATION OF 16M 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 verge adjacent to the turning head at the end of St Ives Way, Halewood. The verge is between St Ives Way and Okell Drive, Halewood.

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 16m high street column, 6no antennas and 2no equipment cabinets and 1no electric meter cabinet.

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

Consultations

Halewood Town Council - Agree with the objections cited by local residents and fully support the view that the proposed location is not appropriate. Object on the following grounds: -

- Mast too close to residential property.
- Noise impacts would cause a nuisance and disturbance to residents.
- Mast would be unsightly and not fit in with local environment.
- Mast will devalue house prices in the immediate area.
- Would lead to an increase in Anti-Social Behaviour
- Would impede residents to access this area to park their vehicles leading to highway safety issues.
- There is a high chance that this mast will be damaged by a vehicle.
- Would lead to decrease in quality of life.
- There are other more suitable locations in Halewood where the mast could be easily disguised.

Asset Management - No comments Received.
Highway Authority – No objections in principle

Representations

This application has been publicised by letters sent to 34 neighbours. It has also been advertised by Site Notice

There have been 54 letters of objection. (several residents have submitted multiple comments)
The representations are summarised as follows:-

1. This will be an eye sore in front of houses, it would be unsightly and overbearing. It would be visible both from houses, gardens and roads on Totnes Avenue, St Ives Way, and surrounding roads. The visual impact is out of keeping with the suburban character of the area which is characterised by two storey residential properties. Other locations away from residential properties would be better suited to this sort of development. Why can't it be placed on the other side of the road where there is more space and trees block out the view.
2. Could interfere with the pedestrian walkway.
3. The installation would be directly in line with the view from living room windows and bedroom windows and would obscure the view detrimental to residential amenity.
4. Concerned about problems with anti- social youths because of issues experienced in adjacent subway.
5. The Council has visually enhanced the grass verge with a tree, which would be destroyed.
6. Children play and people meet to talk on grass verge.
7. The 16m high mast will tower above residential homes, especially in such close proximity looking unbalanced and indecorous and adjacent homes will be visually devalued as would be buyers would be deterred by the mast.
8. The installation would have a detrimental effect on the quality of resident's lives.
9. We would envisage a devaluation and diminished appeal of adjacent dwellings should we want to move.
10. The monopole will impact on the availability of daylight to all immediate residents.
11. The proposed installation would be a total hazard and too dangerous for the disruption it would cause to resident's safety and well-being.
12. Expert analyses show that one 5G mast can use up to three times more power than 4G mast equivalent to 76 homes and that electricity usage after 5G deployment could contribute up to 23% of greenhouse gas emissions by 2030.
13. Its adjacent to a busy throughfare and people will be put off walking past this installation and could venture onto Okell Drive causing traffic hazards and potential accidents.
14. This location is being chosen to raise Council funds.
15. There is very little greenspace remaining in the Halewood area and this small piece of grass is not suitable for this structure.
16. The application is considered unacceptable on siting, design, and visual amenity grounds in accordance with the Council's Core Strategy Policy CS19 and the NPPF.
17. The proposed development because of its scale, form and siting, would be visually obtrusive, over-dominant and incongruous, completely and wholly out of character within the local area, and would have a detrimental impact on the visual appearance and character of the street scene and the surrounding area. As such, the proposal would fail to comply with the National Planning Policy Framework and Core Strategy policy CS19 in relation to visual impacts.

18. Health risks to local residents and pedestrians.
19. A telecommunications base station like this will make the skyline of local buildings look unbalanced and mast-heavy. It will create visual clutter and degrade the aesthetics of the local area.
20. There is also evidence that microwave emissions from telecommunications mast and base stations are a pollutant which cause adverse health effects, beyond the effects which are recognised in the UK adopted ICNIRP guideline and increase exposure to radiation.
21. The consultation period should be extended due to the school summer holidays when a lot of residents are away and request that the neighbour notification list is widened.

The devaluation of property prices is not a material consideration in the determination of this application.

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

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

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

ENV8 - Telecommunications Developments

H5 - Development within Primarily Residential Areas

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 adopted highway verge located between Okell Drive and St Ives Way, Halewood. This section of Okell Drive is a relatively straight road with good forward visibility and an open aspect. The proposed 16m high monopole would therefore be highly visible from either end of this section of Okell Drive to the detriment of the street scene and the character of the surrounding area.

The monopole at 16m 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. This would only serve to accentuate its prominence.

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 in St Ives Way. (Approximately 11m between the monopole and no 33 St Ives Way- 15m to 31 St Ives Way and approximately 23m between the monopole and 35/37 St Ives Way.

The mast and equipment cabinets would be highly visible from main habitable rooms in the nearest dwellings in St Ives Way and would also be highly visible from the rear of dwellings in Totnes Avenue.

Consequently, the mast, by reason of its height and visual appearance, would appear as an intrusive and incongruous structure 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.

The proposal would not have any impact on car parking in the area as the proposed site is a grass verge and is not used for car parking. It is unlikely that the mast would be damaged by a vehicle as there is a pedestrian guardrail adjacent to Okell Drive and from St Ives Way vehicles would have to mount the kerb and cross the grass verge.

The proposal would be in compliance with Local Plan policy CS7.

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

There is a specific requirement for an installation on the footway of Okell Drive to ensure that the latest high quality 3G and 4G service provision is provided in this area of Knowsley. The proposed column will also ensure that new 5G coverage can be provided at this location. This 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:

Okell Drive/ Torcross Way – Discounted due to existing unresolvable underground services beneath the footway.

Amenity land to the side of 2 Torcross Way – The footway is too narrow to accommodate the equipment. Lack of space would lead to highway safety issues.

Grass Verge on Okell Drive to side of 2 Torcross Way - The footway is too narrow to accommodate the equipment. Lack of space would lead to highway safety issues.

Footway on Okell Drive to the side of 6 Yelverton Close - The footway is too narrow to accommodate the equipment. Lack of space would lead to highway safety issues.

Amenity land to side of 7 Yarcombe Close - The footway is too narrow to accommodate the equipment. Lack of space would lead to highway safety issues.

Footway Adj to No 12 Yarcombe Close - The footway is too narrow to accommodate the equipment. Lack of space would lead to highway safety issues.

Footway Adjacent to No 6 Torcross Way - The footway is too narrow to accommodate the equipment. Lack of space would lead to highway safety issues.

The reason for discounting amenity land to the side of 2 Torcross Way and amenity land to the side of 7 Yarcombe Road are disputed as these areas are not adopted highway. In addition the area of adopted highway verge at the head of Elworthy Avenue has not been considered.

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. Furthermore, the applicant has failed to demonstrate that these benefits could not equally be achieved in an alternative site where less harm would be 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:-

The proposed development by reason of its location, prominence and proximity to residential dwellings would be detrimental to the visual and residential amenity and character of the area. As such, the proposal would be contrary to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policies H5 and ENV8 of the Knowsley Replacement Unitary Development Plan adopted June 2006 and guidance in NPPF (July 2021).

Signed Case Officer¹:

Mark Quinn

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

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

4 September 2023

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

