

**APPLICATION
NO:**

24/00579/TEL

CASE OFFICER:

Mark Quinn

WARD:

Roby

PARISH:

LOCATION:

Land At Junction Of Acacia Avenue And Cypress Road, Acacia Avenue, Huyton

PROPOSAL:

INSTALLATION OF A 20M HIGH MONOPOLE SUPPORTING 6 NO. ANTENNAS AND 1 NO. 0.3M DISH, 4 NO. EQUIPMENT CABINETS AND ASSOCIATED ANCILLARY DEVELOPMENT.

Site Description

The site relates to part of the footway (adopted highway) adjacent to the existing shopping parade at the junction of Acacia Avenue and Cypress Road on the Paramount residential estate, Huyton. There are existing residential dwellings directly opposite the site on Acacia Avenue, to the west of site above the shops on Acacia Avenue, to the east of the site on Acacia Avenue/ Cypress Road and also to the south of the site on Cypress 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 can be considered when deciding this application.

The proposal comprises a 20m high monopole incorporating 6 antennas, a 0.3m diameter dish and four ground based equipment cabinets. The equipment cabinets would have a combined length of approximately 4.5m and a maximum height of 1.82m.

Consultations

Highway Authority - No objections

Representations

This application has been publicised by letters sent to 33 neighbours. It has also been advertised by Site Notice.

There have been 579 letters of objection. The representations are summarised as follows:-

- Too close to houses – no reason for this installation on a residential estate.
- Unsightly, obtrusive, ugly and incongruous with the surroundings – not a nice view to be looking at, would dominate the view from houses directly opposite. Would spoil the view.
- Appearance would cause an obtrusive visual impact within the area causing upset and anxiety to local residents and impacting the visual quality of the area.
- Needs to be located on motorway or in a non- residential area out of sight of homes and families
- House prices in the area would be devalued (wherever the mast is visible) & would impact on the sale of our homes.
- Not safe for residents or children as easy access to climb

- Negative health effects for all especially children and the elderly, the health implications are still unknown – link to carcinogenic symptoms have not been disproven. Can effect medical implants & cause visual disturbances/ cancer if proximity is close. ICNIRP guidelines exclude people with metal in their bodies. Cause anxiety and stress. Cabinets carry a warning notice about high voltage or high levels of radio frequencies. 5 G masts can cause health effects even when below the ICNIRP guidelines. Who will monitor the radiation emissions?
- Negative impact on the local area,
- Given the amount of radiation it should not be approved if the Council has any consideration for Knowsley residents.
- Would dominate and reduce visual amenity of the area and would obstruct existing views. Unnecessary eyesore.
- Children regularly use this area to play.
- Not supported by over 400 members of the Paramount Estate community group.
- The area has become very congested in recent years and this plot of land is being exploited by local businesses who are making the area look unsightly.
- Would council members live in close proximity to one of these?
- If the space on the corner is to be sold and used surely it could be to benefit residents rather than to cause a nuisance and ruin the aesthetics of the estate.
- Mast would enhance the current eyesore (builders skip, tarmac breaking up)
- Would set a precedent for others to be erected on the estate.
- Would be too close to two primary schools. The applicant has not consulted either of the two nearby primary schools.
- Acacia Avenue is already a busy area for traffic, particularly during the start and end of the school day. The position of the proposed development is likely to significantly reduce the visual field for vehicles using the junction and also provide a distraction to drivers. This would increase the likelihood of traffic accidents on Acacia Avenue and put young children at risk due to the proximity of the local schools.
- Parking would be exacerbated as the tarmac section of pavement is currently used as parking for shop workers and for deliveries. This will present a high risk of collision when manoeuvring in the limited space.
- Installation would cause traffic hazards due to the proximity of busy junction and would make the area extremely congested.
- Surely there are already sufficient antenna and dishes for the local area.
- Loss of light to nearby dwellings.
- There are more appropriate locations for this monopole (i.e Ten Acre Pits on Acacia Avenue)
- If granted Council Tax should be re banded.
- It would cause a loss of light to nearby occupiers.
- If the destruction of traffic cameras extends to telecom masts due to health concerns would pose a serious risk to people and property.
- The cabinets cause unnecessary clutter and can attract graffiti.
- The over large cabinets cause a constant noisy hum
- ICNIRP guidelines do not make provision for the effects on wildlife.
- Telecom masts can be refused on health considerations.
- The cabinets would create a blind spot which would encourage anti-social behaviour, become a meeting point for youths to congregate causing noise and disturbance with the potential for litter.
- The mast would be in close proximity to two primary schools and shops who would be subjected to high levels of radiation.
- The type of application is unclear.
- Inaccuracies in the submitted documents with regard to the closest residential property. This calls into question the validity of the ICNIRP certificate.

- The applicant chose not to engage in the pre- application process , this calls into question whether the applicant has adequately assessed opportunities for alternative sites/mast sharing.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 – Development Principles

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

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

ENV8 - Telecommunications Developments

H5 - Development within Primarily Residential Areas

National Planning Policy Framework

Assessment

Siting & Design

Policy CS2 in the Core Strategy states that new development in Knowsley will be expected to promote 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 that 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.

Saved UDP policy ENV8 states that new telecommunications development will not be permitted if the development would by reason of its scale, siting or design, have an unacceptable impact on the character or appearance of the surrounding area.

Saved UDP Policy H5 states that new development within the Primarily Residential Areas which is for uses appropriate to a residential area will be permitted provided that the development would not adversely affect the character or street scene of the area.

Paragraph 115 of the National Planning Policy Framework states that 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 proposed monopole would be sited in an area which has a strong residential character, it is comprised of two storey dwellings, narrow roads and footpaths and a three storey block of shops and apartments. The monopole and cabinets would be sited in a very prominent location adjacent to a large area of hardstanding adjacent to the shopping parade on the corner of Acacia Avenue and Cypress Road.

The height of the proposed monopole would be significantly higher than the existing lighting columns (12m), adjacent shops/flats (10.7m) trees (approximately 12m) and surrounding dwellings (approximately 8m) resulting in an incongruous feature in the street scene. The mast would therefore be highly visible from Acacia Avenue and Cypress Road to the detriment of the street scene and the character of the surrounding area. There would be no

opportunities for screening in the form of new landscaping / tree planting etc and significant harm would be caused. The harm caused means that 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.

Residential Amenity

Policy CS19 in the Core Strategy states that development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

Saved UDP Policy ENV8 states that new telecommunications development will not be permitted if the development would by reason of its scale, siting or design, have an unacceptable impact on the amenity of nearby residents."

Saved UDP Policy H5 states that new development within the Primarily Residential Areas which is for uses appropriate to a residential area will be permitted provided that the development would not 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.

The proposed monopole would be located approximately 5m from the closest dwelling at 21A Acacia Avenue (above the shops), just over 22m from the closest dwelling on the opposite side of Acacia Avenue and just under 21m from the closest dwelling to the east on Acacia Avenue.

Given the close proximity of the existing residential properties the mast and equipment cabinets would be highly visible from main habitable rooms in the nearest dwellings in Acacia Avenue and Cypress Road resulting in poor outlook which would cause significant harm to the amenity of the occupants.

Consequently, the mast and associated equipment cabinets by reason of their height and visual appearance, would appear as an intrusive and incongruous structures 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 Policy CS19 in the Core Strategy and Saved UDP policies ENV8 and H5.

Highway Safety

The Highways team have raised no objections to this proposal. The proposal would be sited approximately 8m behind the road junction of Acacia Avenue and Cypress Road so there would not be an adverse impact on existing visibility splays meaning that the development would not have an unacceptable impact on highway safety.

Health Considerations

Paragraph 121 of the NPPF states that applications for electronic communications development should be supported by the necessary evidence to justify the proposed development. With regard to health impacts the NPPF states that the evidence should include a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 122 of the NPPF states that local planning authorities must determine applications on planning grounds only and must not set health safeguards different from the International Commission guidelines for public exposure.

The applicant has submitted a statement which says that the proposed development would comply with ICNIRP guidelines and therefore the development accords with Paragraphs 121 and 122 of the NPPF. Some local residents have submitted representations about the validity of the ICNIRP certificate for this site given the proximity of the closest dwellings and that ICNIRP certificate does not account for implants and pacemakers etc.

The applicant has been contacted for a response on these issues.

The applicant has confirmed that *“The ICNIRP certificate has been prepared properly. We have conformed with government planning and ICNIRP guidance as a Declaration of Conformity with ICNIRP Public Exposure Guidelines accompanied the application. This is a legal requirement and is absolute confirmation that the proposed site complies with the requirements of the radio frequency (RF) guidelines limits of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure, as required by the UK government and its health advisors.”*

“There is no arbitrary distance specifying how far away a site must be from residential or other property. The ICNIRP certificate is bespoke and produced individually for each site and confirms that the site is ICNIRP compliant and therefore no publicly accessible areas are within the public or occupational ICNIRP exclusion zones.”

“To address the second concern, there is no evidence to suggest that radio frequency fields from radio base stations can interfere with cardiac pacemakers or other implanted medical devices so long as the exposure levels from the radio base station are within the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines. “

The response from the applicant is satisfactory in that no further evidence has been presented which shows that harm would be caused to implanted medical devices so in conclusion the ICNIRP certificate is considered to be valid in compliance with NPPF paragraphs 121 and 122.

Benefits of the Development

Paragraph 118 of the NPPF 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.

The proposed equipment will ensure that new 5G coverage can be provided at this location and the applicant states that this would address gaps in high-quality service provision because the existing sites in this area are struggling to cope with demand and an increase in capacity is required. In accordance with Paragraph 118 of the NPPF this should carry significant weight in favour of the proposed development.

Alternative Sites

Saved Policy ENV 8 in the Replacement Unitary Development Plan states that 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, or 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 121 of the NPPF states that applications for electronic communications development should be supported by the necessary evidence to justify the proposed development including evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure

The applicant has provided a list of alternative sites and the reasons for discounting them.

1. St John's Road/ Tarbock Road. – Discounted due to the presence of statutory undertakers equipment
2. Grass Verge off Wheathill Road – The presence of mature trees would impact on the signal from the antennas.
3. Adjacent to Flavios Restaurant – Discounted due to limited pavement width & also impact on residential amenity.
4. Acacia Avenue Greenfield Option (adj Ten Acre Pits open space) – Discounted due to the presence of mature trees which would interfere with the signals. A lattice tower would also be required to the detriment of visual amenity.
5. Laburnum Ave- Greenfield Option - Discounted due to the presence of mature trees which would interfere with the signals. A lattice tower would also be required to the detriment of visual amenity.
6. Greenlands/Tarbock Road – Discounted due to limited pavement width and narrow grass verge also adverse visual impact
7. Tarbock Road - Discounted due to limited pavement width and narrow grass verge also adverse visual impact
8. Grass Verge- Tarbock Road – Discounted due to not meeting the network requirements to provide satisfactory coverage.
9. Tarbock Rd/Archway Rd Roundabout - Discounted due to not meeting the network requirements to provide satisfactory coverage.
10. Twickenham Drive - Discounted due to not meeting the network requirements to provide satisfactory coverage.

It is not accepted that the applicant has discounted all possible alternative sites as they have not provided information about the area that the mast would provide coverage for and the area where this equipment could be located. The applicant did not engage in pre-application discussions with the Council to discuss their requirements.

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 causing significant harm to both. There are benefits associated with the proposed development and these weigh in favour of the proposed development; but it is not considered that they would outweigh the significant harm caused by the proposal. 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, height and proximity to residential dwellings would be detrimental to the visual and residential amenities 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 (December 2023).

Signed Case Officer¹:

Mark Quinn

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

11 December 2024

Informatives

None

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







