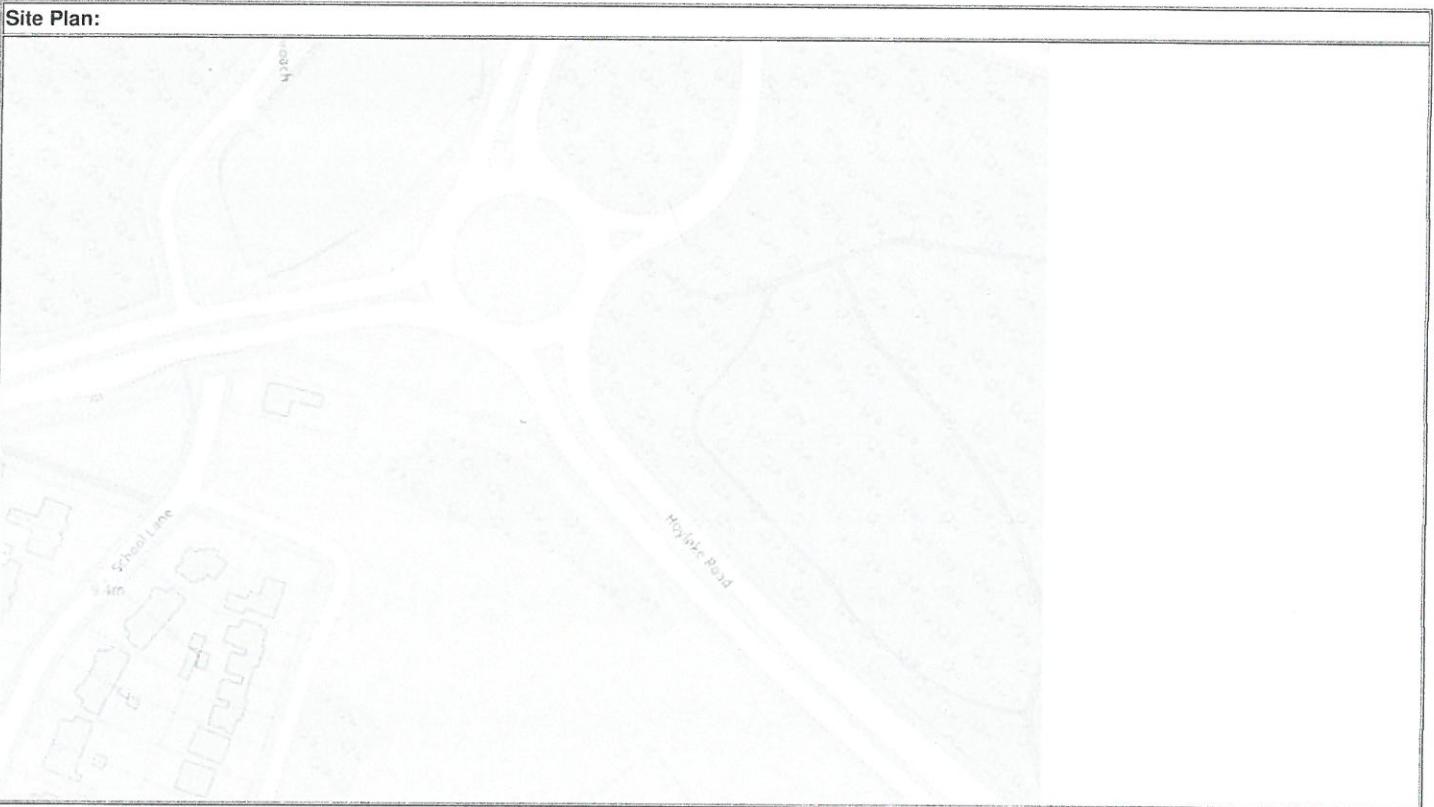


Delegated

| Reference: | Area Team: | Case Officer: | Ward: |
|---------------|------------|---------------|----------------------|
| ANTX/22/02163 | DM | Mr B Bechka | Bidston and St James |

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| Location: | Hoylake Road Street Works Hoylake Road, Wirral, CH43 7RH |
| Proposal: | Application to determine if prior approval is required for a proposed 20 metre high telecommunications mast with associated antenna and ground cabinets. |
| Applicant: | Gallivan |
| Agent : | Mr Tom Gallivan Dot Surveying Ltd |

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| Qualifying Petition | No |
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| Development Plan designation: | Primarily Residential Area |
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| Planning History: | None |
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| Summary Of Representations and Consultations Received: | A total of 7 consultation letters were sent out to neighbouring properties within 100 metres of the application site. A site notice was also posted. |
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| 1. Ward Member Comments | No comments received. |
| 2. Summary of Representations | <p>REPRESENTATIONS</p> <p>Received: 0</p> |

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| CONSULTATIONS | |
| | Highways (Traffic and Transportation): No objection subject to highway approval of traffic management. |
| | Highways (Asset): No objection with informative |

| 3.1 Site and Surroundings | |
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| 3.1.1 | The application site relates to a wide grass verge forming part of the adopted highway located to the northern side of the Hoylake Road roundabout. The roundabout is a large intersection with roads leading off to the dual carriageway Fender Lane (A553) to its east, the A554 dual carriageway to its northeast, and the dual carriageway of Hoylake Road (A553) to its south east. There is also an access road serving a Tesco Extra leading off the roundabout. The central island of roundabout comprises grass and number of deciduous and evergreen trees. |
| 3.1.2 | Located immediately to the south of the application site is an open field (Vyner Field), sitting behind a small, raised embankment views onto it from the application site are screened by trees lining its perimeter. The Observatory School bounds this field to its southern extent, a distance of approximately 130m away from the application site. |
| 3.1.3 | Sited approximately 50m to the west of the application site is a standalone detached dwelling, whilst lying approximately 90m to the south west is a residential development forming the northern extent of Bidston Village. |
| 3.1.4 | To the north and to the opposite side of the Fender Lane (A553) is Bidston Station car park and scrub land, whilst to the east and to the opposite side of Hoylake Road is a large, wooded area. |
| 3.1.5 | In terms of existing vertical features, the immediate street scene comprises highway signage, lighting columns and CCTV masts, whilst within the wider landscape, electricity pylons and mobile masts can be seen to the north and west of the application site. |
| 3.1.6 | It is located within a Primarily Residential Area in Bidston. |

| 3.2 Proposed Development | |
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| 3.2.1 | Prior Approval is sought under Class A of Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, for the erection of a 20 metre high galvanised steel telecommunications mast with associated antennas, and ancillary ground cabinets, designed to facilitate 5G mobile communications in the surrounding area. |

| 3.3 Development Plan | |
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| 3.3.1 | The provisions of Schedule 2 Part 16 Class A of the GPDO do not require regard to be had to the development plan, however development plan policies can be a material consideration only in so far as they are relevant to the matters of siting and appearance. |
| 3.3.2 | Saved policy TE1 of the Wirral Unitary Development Plan sets a presumption in favour of applications for telecommunications apparatus subject to the impact of the proposal on amenity being minimal, through siting and external appearance, amongst other considerations. The policy recognises that there are technical considerations that often limit the choice of sites and the type of apparatus used to achieve the optimum signal coverage, and this will be taken into account in the determination of applications. |

| 3.4 Other Material Planning Considerations | |
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| 3.4.1 | Section 10 of the National Planning Policy Framework expects planning decisions to support the expansion of electronic communications networks, including next generation mobile technology such as 5G. Paragraph 115 advises that the number of radio and electronic communications masts should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network, and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability should be encouraged. Where new sites are required, such as for new 5G networks, equipment should be sympathetically designed and camouflaged where appropriate. |
| 3.4.2 | <p>Paragraph 117 of the NPPF expects applications for electronic communications development (including applications for prior approval) to be supported by the necessary evidence to justify the proposed development. For new masts or base stations, this includes:</p> <ul style="list-style-type: none"> a) The outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed within a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; b) (not applicable to this case); and c) Evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure, and a statement that self-certifies that when operational, International Commission guidelines will be met. |

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| 3.4.3 | Paragraph 130 of the NPPF sets out that planning decisions should ensure developments are visually attractive, are sympathetic to local character, and promote a high standard of amenity for existing and future users. |
| 3.4.4 | Wirral Council Supplementary Planning Document on Designing for Development by Mobile Phone Operators was adopted on 30th October 2006 and supports development plan policy by providing advice on, amongst other matters, the siting and appearance of telecommunications development. In particular it encourages the siting of equipment on existing buildings as first choice and if new masts are necessary that their siting and appearance is carefully considered in terms of relationship with surrounding buildings, existing street furniture, and colour to ensure they are as recessive as possible. |
| 3.4.5 | <p>Emerging Wirral Local Plan and its status:</p> <p>Wirral Borough Council has submitted the Wirral Local Plan 2021-2037 for examination.</p> <p>On the 21 March 2022 full council approved publication of the Draft Local Plan Under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 before submission to the Secretary of State. The plan was published in May 2022 and representations were available to be submitted until 25th July 2022. The Local Plan was submitted to the Secretary of State on the 26th October 2022. The local plan and supporting evidence base can be viewed online at www.wirral.gov.uk/lpexam</p> <p>As the Wirral Local Plan has been submitted for examination it (and the supporting evidence base) is a material consideration and can be afforded weight in the decision-making process. In attaching weight to individual policies, paragraph 48 of the NPPF is relevant as it states:</p> <p>“Local planning authorities may give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).” |
| 3.4.6 | <p>Relevant Emerging Wirral Local Plan Policies</p> <p>WS4 - Strategy for Economy and Employment WS6 - Placemaking for Wirral WD13 - Telecommunications</p> |

| 3.5 Assessment | |
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| 3.5.1 | <p>The main issues pertinent in the assessment of the proposal are;</p> <ul style="list-style-type: none"> • The Principle of Development • Siting, Appearance, and effect on the Character of the Area • Residential Amenity • Highways • Public Health |

| 3.6 Principle of Development | |
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| 3.6.1 | Schedule 2, Part 16 Class A of the GPDO grants deemed consent for new telecommunications masts of up to and including 25 metres in height when located on the public highway or other areas covered by Article 2(3) land, subject to consideration by the local planning authority of the siting and appearance of the development. Therefore, at 20 metres in height the principle of development is accepted, and prior approval should be granted unless, in the opinion of the Local Planning Authority, the requirements of the GPDO have not otherwise been met, or the siting and appearance of the development causes planning harm sufficient to outweigh the benefits of development. |

| 3.7 Siting, Appearance, and effect on the Character of the Area | |
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| 3.7.1 | Whilst the proposed 20m high mast of the proposal, standing considerably taller than the surrounding built form and landscape features, would introduce a highly visible and prominent vertical feature within the street scene, given its setting to the outer edge of a residential area and to a busy roundabout where a number of “A” classified roads converge, it is unlikely to have detrimental visual impact on the character of the area. |
| 3.7.2 | Views onto the mast would be possible from the approaches from the south east from Hoylake Road(A554) and the west from Fender Lane (A553), as well as from the access road serving the Tesco Extra. However, views onto it would likely be softened by the back drop of trees forming the |

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| | horizon to these points. |
| 3.7.3 | When approaching from the north east from the A554 dual carriageway, views onto the proposal would be largely screened and filtered by the trees sited to the central reservation of the roundabout, with only limited views onto the upper half of the mast. During winter months with the reduced canopy cover, its visibility would be increased, however the proposed mast would be seen amongst the structure of the trees to this roundabout and directly to its south. It should also be noted that from this approach, the proposed mast would be seen in the context of the existing street lighting columns lining the A554, as well as the approximately 30m high electricity sited immediately to the east of the A554, thus ensuring that it will not be an isolated vertical point feature within the landscape and reducing its apparent prominence. |
| 3.7.4 | Given its setting to a busy intersection the street scene is already reasonably cluttered by the vertical features formed by the existing street furniture, comprising signage and lighting columns. Albeit taller, it would not look out of place within this setting. Additionally, it would be perceived within the wider context, against the nearby approximately 30m high electricity pylons (the nearest being sited approximately 160m north of the application site) and which appear to significantly greater in bulk and height than that of proposed mast. |
| 3.7.5 | Any harm caused by the public visibility of the mast in the street scene is not sufficient to outweigh the public benefits of the development, including the economic and social benefits of improved mobile connectivity in the area, including provision of 5G services, which is supported under paragraph 114 of the Framework. As the siting of the mast in the location proposed by the applicant has, on balance, been found acceptable, it is not necessary for the merits of potential alternative sites to be considered in this case. |
| 3.8 Residential Amenity | |
| 3.8.1 | The closest residential properties are a detached standalone dwelling, No. 50 School Lane, sited approximately 50m to the west of the application site and No 44 School Lane and No. 55 Lennox Lane, sited approximately 90m to the south west, forming the northern extent of Bidston Village. It is considered that the proposal is sited an acceptable distance away from these properties and would therefore not appear overly dominant or overbearing to them. No 50's side boundary (southeastern facing) which fronts, albeit not directly, onto the application site is lined by tall mature trees which would largely screen any views onto the proposed mast from within its rear garden. The level of screening would be further aided by the fact No. 50's property sits to higher ground to that of the proposed application site. |
| 3.9 Highways | |
| 3.9.1 | The Local Highway Authority has offered no objection to the application subject to appropriate section 50 streetworks notification and the traffic management approved by Wirral Highways prior to the works commencing. The proposal does not impact or obstruct pedestrians at the Hoylake Road roundabout as the equipment is off the associated footway and within a grass verge and does not impact pedestrians or vehicles. Highways also consider that there is appropriate visibility along Hoylake Road. As such there will be no adverse impact on highway safety or the amenity of highway users. |
| 3.10 Public Health | |
| 3.10.1 | Concerns have been raised about the potential effect of the proposal on health. However, the applicant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-Ionising Radiation Protection (ICNIRP). In these circumstances the National Planning Policy Framework, at paragraph 118, advises that health safeguards are not something which a Local Planning Authority should determine. No sufficiently authoritative evidence has been put forwards by contributors which would indicate that ICNIRP guidelines would not be met in this instance, or that a departure from national planning policy would be justified. |
| Summary of Decision | Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary |

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| | Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:- |
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| Recommended Decision: | Prior Approval Given |
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| Recommended Conditions and Reasons: |
| 1 |
| The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 21st December 2022 and listed as follows: |
| WIR23139_WIR165_TBC_CH0578_GA_REV_A (002 Site Location Plan), received 21st December 2022; |
| WIR23139_WIR165_TBC_CH0578_GA_REV_A (215 Proposed Site Plan), received 21st December 2022; |
| WIR23139_WIR165_TBC_CH0578_GA_REV_A (265 Proposed Site Elevation), received 21st December 2022. |
| Reason: For the avoidance of doubt and to define the permission. |
| 2 |
| Any mast, apparatus or structure shall be removed from its site as soon as reasonably practicable after it is no longer required for the purposes hereby approved and the land shall be restored to its condition before the development took place, or to any other condition as agreed in writing with the Local Planning Authority. |
| Reason: In the interests of amenity. |

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| Further Notes: |
| The proposed telecommunications mast and equipment is within the adopted highway and a telecommunications permit, and associated traffic management will be required prior to any works taking place within the adopted highway. |
| Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council Street Works Team via www.wirral.gov.uk prior to the commencement of the works for the approval of the proposed details." |

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| Last Comments By: | 03-02-2023 |
| Expiry Date: | 15-February-2023 |



Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines

Three UK Limited
Star House
20 Grenfell Road
Maidenhead

Declares that the proposed equipment and installation as detailed in the attached planning / General Permitted Development Order application at:

HOYLAKE ROAD
BIDSTON MOSS
BIDSTON HALL
WIRRAL
MERSEYSIDE
CH43 7RH

is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection¹ as expressed in EU Council Recommendation 1999/519/EC of 12 July 1999 "on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)".

Date: 16.11.22

Name: T.Morgan

Position: Design

Great British Communications Ltd
Lapwing House
Block 3Forward Point
Tan House Lane
Widnes
Cheshire
WA8 0SL

¹ The updated ICNIRP Guidelines published in March 2020 are covered by this declaration