

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2196/OF1	
2.	Proposed Development:	APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED FOR 30M LATTICE MAST; 3 NO. ANTENNAS; 4 NO. 600MM DISHES; 3 NO. CABINETS & ALL ANCILLARY DEVELOPMENT	
3.	Location:	GREENFIELD SITE NEAR SELLAFIELD, SEASCALE (E303547 N504172)	
4.	Parish:	Ponsonby	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Preferred Route Corridor - Within Preferred Route Corridor, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letter	No
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location	<p>This application site relates to a sloping area of agricultural land which lies to the north-east of the Sellafield site. It is located off the unclassified road to the south of the A595. The land on the edge of Sellafield is predominantly farming land and the landscape is defined by large buildings and vertical structures of an industrial nature including several lines of electricity pylons which run to both the north and south of Sellafield.</p>	

Relevant Planning History

4/17/2454/0F1 – The installation of a new 30m lattice mast supporting 6no antennas, 2no 300mm & 2no 600mm transmission link dishes, and the installation of 3no equipment cabinets - Approved

Proposal

This application gives prior notification of the following proposed works:

- Installation of a 30m lattice mast (Galvanised Grey)
- 3 x antennas (RAL7035 Grey)
- 4 x 600mm dishes (RAL7035 Grey)
- 3 x cabinets – 1 x 1000x470x1250mm & 2 x 1898x798x1698mm (RAL6009 Green)
- All other ancillary development associated with these works.

Consultation Responses

Parish Council

17th May 2022

Following a recent Parish Council meeting the above planning application was brought forward for discussion.

As a result of questions raised, the Parish Council would request an extension to the consultation period as questions have been raised which require further clarification.

These are as follows:

- The Parish Council understands that a similar application was previously received, can the size of the development be clarified in comparison to the previous application
- Has further consideration been given to the visual impact on the skyline and the associated impact on any affected properties? We would kindly request for photos of the possible visual impact from the Church House farm and Ponsonby to alleviate concerns from residents who will be affected by their change in aspect
- Can clarification be provided as to why there are assurances that there are no health impacts on any residents in the surrounding farms. Is there any evidence to support this claim?
- Would the installation of this facility impact or interfere with any other designated uses for

the land?

The Parish Council would like to comment that they are not against the installation, however they would seek further clarification to the above points before approval can be granted.

Public Representation

This application has been advertised by way of a site notice. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy T2 – Information and Communications Technology

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM23 – Information and Communication Technology

Other Material Planning Considerations

National Planning Policy Framework (2021)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

Assessment

Further to recent amendments to the Town and Country Planning (General Permitted Development) Order 2015, under Part 16 Class A permitted development rights now allow for the installation of an electronic communications mast of up to 30 metres from ground level without the need for planning permission. This application gives prior approval for the installation of a 30 metres high mast and the installation of supplementary equipment. The Local Planning Authority must, therefore, determine whether prior approval of the authority will be required as to the siting and appearance of the development.

In July 2017, planning permission was granted (ref: 4/17/2154/0F1) for the installation of a new 30m lattice mast at this site. Planning permission was required for this development as the GDPO previously only allowed the erection of 25m masts without planning permission. The current application seeks to erect the same size lattice mast at this site although the number of antennas and dishes has been reduced from the previous approval. This previous application has, therefore, established the principle for siting a 30m mast at this site.

Based on this previous approval and the lack of representation from local residents received in relation to this application it is considered that, overall, this proposal will help improve the connectivity within rural parts of the Borough. Whilst the mast will be located within open countryside the land lies adjacent to the existing Sellafield site and within a group of existing electricity pylons which run to both the north and south of the Sellafield site. It is therefore considered that the proposed mast would be viewed in the context of the existing infrastructure in the area and would not have any significant detrimental impact on the surrounding landscape.

Whilst Ponsonby Parish Council have stated that they are not against the installation of the proposed mast they have requested clarification in relation to a number of points raised, including additional consideration be given to the visual impact on the skyline and the impact on any affect properties. The Parish Council therefore requested the submission of photos from nearby areas to be submitted to show the change in their aspects. Whilst the agent for this application has shown willingness to accommodate this request the information has not been submitted within the required timescale for determining this application. Overall, given the previous planning approval for the same size mast in 2017 and the surrounding context the site it is not considered necessary to refuse this prior notification based on the failure to submit this requested information. It is also noted that as part of the 2017 planning application Ponsonby Parish Council confirmed that they had no objections to the development and whilst it was considered that it would have some visual impact the Parish Council believed that, given the location close to Sellafield, the impact would not be significant and would be offset by the wider societal benefits that will accrue from a development of this nature. The Parish Council also previously noted that, given the low population density in the area, they didn't believe that the project will have any significant Health and Safety implication for Parishioners.

On the basis of the above the proposal is considered to be compliant with the above policies of the

	Copeland Local Plan and the NPPF when taken as a whole and, as such, it is concluded that prior approval is not required.
8.	<p>Recommendation:</p> <p>Prior approval not required.</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 1. The development hereby approved must be carried out within a period of 5 years from the date of the 29th April 2022. <p>Reason</p> <p>To comply with the requirements of Part 16 Class A (A.3) (11) (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> - Application Form, received by the Local Planning Authority on the 29th April 2022. - Site Location Maps, Scale 1:2500 & 1:50000, Drawing No 100, Dwg Rev: A, received by the Local Planning Authority on the 29th April 2022. - Existing Site Plan, Scale 1:200, Drawing No 200, Dwg Rev: A, received by the Local Planning Authority on the 29th April 2022. - Proposed Site Plan, Scale 1:200, Drawing No 201, Dwg Rev: B, received by the Local Planning Authority on the 29th April 2022. - Existing Site Elevations, Scale 1:200, Drawing No 300, Dwg Rev: A, received by the Local Planning Authority on the 29th April 2022. - Proposed Site Elevations, Scale 1:200, Drawing No 301, Dwg Rev: B, received by the Local Planning Authority on the 29th April 2022. - Application Letter, received by the Local Planning Authority on the 29th April 2022. - Developers Notice, received by the Local Planning Authority on the 29th April 2022. - Declaration with Clarification Letter, received by the Local Planning Authority on the 29th

April 2022.

- Site Specific Supplementary Information, received by the Local Planning Authority on the 29th April 2022.
- General Background Information for Telecommunications Development, received by the Local Planning Authority on the 29th April 2022.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Case Officer: C. Burns

Date : 22.06.2022

Authorising Officer: N.J. Hayhurst

Date : 22.06.2022

Dedicated responses to:- Parish Council