
**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2142/0F1
2.	Proposed Development:	INSTALLATION OF 1 NO. GPS NODE, TO BE LOCATED EXTERNALLY MOUNTED OFF AN UPGRADED ANTENNA SUPPORT POLE, INTERNAL WORKS, AND ANCILLARY DEVELOPMENT THERETO
3.	Location:	ST MARYS AND ST MICHAELS, CHURCH STREET, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Listed Building - Listed Building, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site And Location	This application relates to the St Marys and St Michaels Church, a Grade II listed building situated on Church Street, Egremont. The building is constructed from sandstone and benefits from a tower which currently

accommodates existing telecommunications equipment.

The site is located on the southern edge of Egremont town centre, which hosts a mix of uses including leisure, retail, healthcare and food/drink establishments. The area to the south of the site is predominantly residential in nature.

The site also falls within Egremont Conservation Area.

Proposal

Planning Permission is sought to upgrade the existing telecommunications site.

It will include the installation of 1 no. GPS node, which will be located externally mounted to an upgraded antenna support pole, internal works and ancillary development.

The bracket holding the GPS will exit the church tower through a slot in the upgraded louvres in order to sit externally. The GPS needs to be located externally to achieve a clear line of sight with the sky, in order to operate effectively. The proposed GPS node is very small (approximately the size of a tennis ball).

The internal works comprise of the replacement of 3 no. existing antennas with 3 no. upgraded antennas and the installation of 1 no. new cabinet and 1 no. rack, and ancillary works thereto.

The application is supported by the following:

- Site Location Plan;
- Existing and Proposed Floor Plans and Elevations;
- ICNIRP Declaration with Clarification Letter;
- Consultation Letters and Responses;
- Supplementary information including Design, Access and Heritage Statement.

Relevant Planning Application History

There is no relevant planning history.

Consultation Responses

Egremont Town Council

No objections.

Environmental Health

No objections.



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Conservation and Design Officer

No objections.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 6 no. properties.

One letter was received requesting additional information regarding the following:

- Consultation requirements;
- The potential impact the development would have in terms of the radiological output and health risks, interference with television reception and signal etc.

The agent provided additional information and no further comments or objections have been received as a result of this consultation.

Planning Policies

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

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013 – 2028 (Adopted December 2013):

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy T2 – Information and Communications Technology

Policy ENV4 – Heritage Assets

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM23 – Information and Communications Technology

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

Conservation Area Design Guide 2017

Emerging Copeland Local Plan 2021-2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy BE1PU – Heritage Assets

Policy BE2PU – Designated Heritage Assets

Policy CO1PU – Telecommunications and Digital Connectivity

Assessment

The key issues raised by this proposal are the principle of development, its scale and design



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and the potential impacts on the amenity of the area and the heritage assets.

Principle of Development

Developments which seek to extend or improve connectivity through existing and emerging telecommunications in the Copeland area will be supported subject to appropriate safeguards, which are considered below.

The proposal relates to a building within Egremont Town Centre which benefits from existing telecommunications equipment.

The site has been chosen as upgrading the existing equipment will reduce the need for another telecoms installation in the area, which accords with governmental guidance regarding using existing telecoms locations.

On this basis, the principle of the development is therefore considered to be acceptable in accordance with Policies ST2, T2 and DM23 of the Local Plan and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to safeguard good levels of quality and attractiveness. Policy DM10 seeks to ensure development is of an appropriate scale and design which is appropriate to their surroundings.

Policy DM23 requires proposals to generally avoid high quality landscapes, particularly visually prominent locations and to protect conservation areas, listed buildings and their settlements and requires the siting and design of equipment to minimise its impact on the surrounding area.

Policy DM23 also requires the availability of alternative sites or possible sharing facilities with other operators must be considered. Despite the application relating to a listed building and conservation area, the supporting documents suitably justify the proposed location as the proposal will upgrade existing equipment. In addition, it will not be higher than the top of the existing structure and therefore the location is considered to be acceptable.

The new external GPS node will be very modest in scale and attached to an upgraded support pole.

Given the height from ground level at 16.15m and the small size, it is not considered to be significantly prominent from the public vantage points. In addition, the siting and design of the equipment will have minimal the impact on the building and the surrounding area.

On this basis, the proposal is acceptable in accordance with Policies DM10 and DM23 of the Copeland Local Plan.

Amenity Impacts

Policy DM10 seeks to ensure developments do not adversely affect the amenities of adjacent dwellings.

The application received a couple of queries relating to the potential impact it would have in

terms of the radiological output that could affect those in the vicinity and the interference with television reception and signals. The agent provided additional information and no further comments or questions were received.

As a result of the comments, Environmental Health were also consulted. They confirmed that they have no objections to the proposal as it relates to radio waves which are non-ionising, meaning they do not damage human DNA cells in the way that gamma rays, X-rays and UV rays may do. In addition, the applicant has provided a Declaration of Conformity with ICNIRP Public Exposure Guidelines concerning compliance with national and international safety thresholds on exposure to non-ionising radiation.

In terms of possible interference with existing radio and television coverage in the area, the applicant has assured within the application that “the telecommunications infrastructure...accords with all relevant legislation and as such will not interfere with other electrical equipment”.

On this basis, the proposal is not considered to harm the amenity of the surrounding area and the proposal is acceptable in accordance with Policy DM10 of the Local Plan.

Heritage Impacts

Policy ENV4 and Policy DM27 seeks to protect, conserve and where possible enhance listed buildings and their settings.

The application is supported by a Design, Access and Heritage Statement which provides justification for the proposed telecommunications upgrade.

It is confirmed there is no requirement for any new drilling of equipment to the material of the listed building. The upgraded antenna support poles will be fixed to existing clamps and steel plates which are already in situ. The mesh will be fixed to the existing timber frames once the timber boards are removed. The proposed cabinet and ERS rack will be bolted to an existing steel grillage floor which is already in situ.

The Conservation and Design Officer raised no objections as the proposal aims to provide 4G coverage across the surrounding area of Egremont town centre by mounting various transmitters and cabling onto existing clamps and mounts within the church tower. This includes an external GPS node which requires a clear line of sight and therefore the external location is justified.

It is considered that the proposal will consist of negligible harm to the appearance of the tower. There will be no harm to the historic fabric and the change in appearance will be extremely minimal.

The public benefit in terms of 4G coverage appears reasonable justification for the change.

On this basis, the proposal is considered to be acceptable in accordance with Policies ENV4 and DM27 and the NPPF guidance.



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	<p><u>Planning Balance and Conclusion</u></p> <p>The application seeks planning permission to upgrade the existing telecommunications equipment in Egremont. It will improve 4G connectivity and the majority of the works will be internal. The new external GPS node will be very modest in scale and attached to an upgraded support pole.</p> <p>Given the height from ground level and the small size, it is not considered to be significantly prominent, and the proposal is considered to have minimal impact on the amenity of the area and the listed building and the surrounding heritage assets. There will be significant public benefit and this will outweigh any potential harm.</p> <p>On balance, the proposal represents an acceptable form of sustainable development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none">1. The development hereby permitted must commence before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</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 must be carried out in accordance with them: - Application Form, received 17th May 2023; Site Location Plan, scale 1:1250, drawing no. 1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023; Existing Site Plan, scale 1:200, drawing no. 1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023; Existing Elevation A, scale 1:200, drawing no. 1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023; Proposed Site Plan, scale 1:200, drawing no.

1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023;
Proposed Elevation A, scale 1:200, drawing no.
1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023;
Existing and Proposed Antenna Layout, scale 1:50, drawing no.
1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023;
Existing and Proposed Equipment Room Layout, scale 1:50, drawing no.
1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023;
Plan on Antenna Fixing Details with Apertures, scale 1:10, drawing no.
1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023;
Typ. Section on Antenna fixing details with apertures, scale 1:20, drawing no.
1208338_COP020_12086_CA0190_M002 Issue B, received 17th May 2023;
ICNIRP Declaration with Clarification Letter, received 17th May 2023;
Consultation Letters and Responses, received 17th May 2023;
Supplementary Information (including Design and Access Statement/Heritage Statement), received 17th May 2023.

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.

Informative Note

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.



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Case Officer: C. Unsworth	Date : 10/07/2023
Authorising Officer: N.J. Hayhurst	Date : 12/07/2023
Dedicated responses to:- N/A	