

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2384/0F1	
2.	Proposed Development:	PRIOR APPROVAL APPLICATION FOR THE INSTALLATION OF 20M MONOPOLE SUPPORTING 6 NO. ANTENNAS, 1 NO. TRANSMISSION DISH, 2 NO. EQUIPMENT CABINETS, 1 NO. METER CABINET AND ANCILLARY DEVELOPMENT THERETO INCLUDING REMOTE RADIO UNITS (RRUS)	
3.	Location:	GRASS VERGE AT HORN HILL, MOOR ROAD, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Relevant Policies	See Report
		Consultation Responses	See Report
7.	Report:  Site and Location		
		This application relates to a small triangle of grass verge located on the corner of Horn Hill (A5093) and Moor Road, located within the west of Millom.  The site is set back from the highway by the existing footpaths and is sited in front of the ACFATC Centre, separated by an existing sandstone wall. The site is located within a	

prominent, slightly elevated position, along the main entrance into Millom from the west.

### **Relevant Planning History**

No relevant planning history.

### **Proposal**

This application gives prior approval for the following works:

- The installation of a 20m monopole
- 6 x antennas;
- 1 x transmission dish,
- 2 x equipment cabinets,
- 1 x meter cabinet; and
- Ancillary development associated with these works including remote radio units.

### **Consultation Responses**

#### Millom Town Council

No objections in principle.

#### Cumberland Council – Highway Authority & Lead Local Flood Authority

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

#### Cumberland Council – Environmental Health

There are no objections to this development from Environmental Health.

The applicant has included a Declaration of ICNIRP Compliance and comprehensive advice as regards safety of non-ionizing radiation from the development.

The development should not interfere with existing radio and television coverage in the area or with other electrical equipment, though further advice / redress on this matter is provided by Ofcom, the regulator for communications services.

#### Public Representation

This application has been advertised by way of neighbour notification letters issued to 23

properties.

Four letters of objection have been received raising the following concerns:

- Objection to the erection of the mast.
- While I understand the importance of advancing technology and improving connectivity, I have several concerns regarding the potential impact this structure may have on our community and environment.
- I object to the proposed 20 metre high telecoms 5G mast and antenna in this location due to its proximity to my house.
- It's very high at 20 metres , more than 60 feet, and as such will to me be very visible and somewhat dominating in the street scene almost directly across the road from my house.
- It will be over bearing and detrimental to my amenity by virtue of its height and location and will be visible from my amenity space.
- This is predominantly a residential area and the application would not be in keeping with this area.
- Previous works on and round this crossroads has caused considerable disruption and I personally have had issues with contractors carrying out these works.
- This installation will contain high energy transmission equipment. The neighbouring property has very young children, and the building on the opposite side of the road have young adults attending regularly. It is my opinion that the effects of such high energy transmissions have not been fully researched with regard to the afore mentioned groups, and as such could potentially have detrimental effects.
- the location of the mast is in close proximity to residential properties, including my own. I am worried about the potential health risks associated with exposure to electromagnetic radiation, particularly for children and vulnerable individuals in the area. Additionally, the visual impact of the mast could significantly alter the character of our neighborhood, which is predominantly residential and peaceful.
- I urge you to consider alternative locations for the mast that would minimize disruption to the community and address the health concerns that many residents share

One letter of support has also been received raising the following comments:

- We need better mobile reception in the area also mobile internet.

### **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**

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 the 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 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5<sup>th</sup> of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy CO1: Telecommunications and Digital Connectivity

## **Other Material Planning Considerations**

National Planning Policy Framework (2024)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

## **Assessment**

The installation of an electronic communication apparatus is considered permitted development under Schedule 2 Part 16 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015. This order sets out certain conditions for the prior approval of the installation of electronic communication apparatus of up to 30m, which requires the submission of an application to the Local Planning Authority to determine if prior approval will be required as to the siting and appearance of the development.

This application seeks prior approval to site a 20m mast upon a prominent grass verge along



## Cumberland Council

	<p>the main highway providing access to Millom from the west. Four letters of concerns have been received from members of the public in relation to the siting of the mast and the impact that this will have on the visual amenity of the surrounding area and upon residential amenity.</p> <p>Concerns have also been raised from the public regarding health implications. This issue however does not form part of the considerations for this type of application and has been covered by the applicant within the submitted supporting information for the application. This has been acknowledged by the Environmental Health Officer.</p> <p>Following initial concerns to the application, a meeting was held with the applicants agent to discuss these objections. The agent provided the Local Planning Authority with the rationale for the siting within this location and the benefits to extended coverage within Millom. Evidence was provided to show the decrease in possible coverage should the mast be located in an alternative location. A number of alternative sitings were also discussed with the agent however justification for their dismissal of these options was provided. The agent was also asked to consider the possibility of reducing the overall height of the proposed mast.</p> <p>Further to these discussions the agent submitted a response to the Local Planning Authority which provided further evidence regarding coverage from the proposed mast, alternative sites and justification for the discount, and feasibility regarding the reduction in height of the proposed mast.</p> <p>Based on the submission of the additional information it is considered that the proposed mast will help improve the connectivity within the Council's Key Service Centre. Whilst the overall height of the mast is 20m on a slightly elevated site, the outcome of reducing the height would be at a detriment to the coverage provided to the local community. Furthermore, although the development would be located within a prominent location the mast would be viewed in the context of the surrounding buildings, and other features located within developed areas (i.e. street lighting, telegraph poles)</p> <p><u>Conclusion</u></p> <p>It is recommended that prior approval is required and be approved subject to the imposition of planning conditions securing completion of the works in accordance with the submitted details and specifications.</p>
8.	<p><b>Recommendation:</b></p> <p>Prior approval required and approved.</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"><li>1. The development hereby approved must be carried out within a period of 5 years from</li></ol>

the date of this decision.

#### Reason

To comply with the requirements of Part 16 Class A (A.3) (11) (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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:-
- Application Form, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Covering Letter, Prepared by Clarke Telecom October 2024, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Site Location Maps, Scale 1:12500 & 1:50000, Drawing Number: 100, Dwg Rev: B, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Cornerstone Community Information Sheet, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Existing Site Plan, Scale 1:100, Drawing Number: 200, Dwg Rev: A, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Proposed Site Plan, Scale 1:100, Drawing Number: 201, Dwg Rev: C, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Existing Elevation, Scale 1:100, Drawing Number: 300, Dwg Rev: A, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Proposed Elevation, Scale 1:100, Drawing Number: 301, Dwg Rev: C, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Cornerstone Community Information Sheet, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Allaying Health Concerns Regarding 5G and Exposure to Radio Waves, Prepared by The Institute of Engineering and Technology, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
  - Consultation Letters, Prepared by Clarke Telecom July 2024, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.



## Cumberland Council

- Coverage Plots, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Developers Notice, Prepared by Clarke Telecom October 2024, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Supplementary Information, Prepared by Clarke Telecom, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- ICNIRP Declaration with Clarification Letter, Prepared by Clarke Telecom October 2024, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Collaborating for Digital Connectivity, Prepared by Department for Digital, Culture, Media & Sport March 2019, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- The Public Benefit of Mobile Connectivity, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Cornerstone Community Information Sheet, Prepared by Clarke Telecom, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Safety Guidelines on Electromagnetic Fields from Antennas, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- General Background Information for Telecommunications Development, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- 5G, EMF Exposure and Safety, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Health and Mobile Phone Base Stations, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- 5G Mobile Technology: A Guide, Prepared by HM Government, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- The Importance of Local Authority Collaboration to Deliver Mobile Connectivity, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Health Summary, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- 5G – The Next Mobile Generation, Prepared by Department for Digital, Culture, Media & Sport, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Mobile Connectivity and 5G infrastructure – Planning, Prepared by Department for Digital, Culture, Media & Sport, received by the Local Planning Authority on the 11<sup>th</sup>

November 2024.

- Local Authority Toolkit 5G and Health. Prepared by Mobile UK, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Planning for a Better Network, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Radio Planning and Propagation, Prepared Cornerstone, received by the Local Planning Authority on the 11<sup>th</sup> November 2024.
- Email from Agent – Response to LPA 24.01.25 & 29.01.25, received by the Local Planning Authority on the 29<sup>th</sup> January 2025.
- Coverage Plots – Grow the Grid, received by the Local Planning Authority on the 29<sup>th</sup> January 2025.

#### 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.

#### Informatives:

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

#### 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.





**Cumberland  
Council**

<b>Case Officer:</b> C. Burns	<b>Date :</b> 10.02.2025
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 14.02.2025
<b>Dedicated responses to:-</b>	