

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2126/0F1	
2.	Proposed Development:	INSTALLATION OF A 12M MONOPOLE WHICH WILL SUPPORT 1NO. OMNI ANTENNA AT A MEAN HEIGHT OF 13.83M ALONG WITH ANCILLARY EQUIPMENT THERETO INCLUDING GPS MODULE, 1NO. COLLINEAR ANTENNA AND 1NO. CABINET TOGETHER WITH GROUND WORKS TO FACILITATE THE DEVELOPMENT INCLUDING RETAINING WALLS, ACCESS STEPS AND FENCING	
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	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location	This application site relates to a small rectangular area of land on the existing sloping grass bank sited off the A5093, located within the west of Millom. The site is set back from the highway by the grass verge and is located adjacent to the existing footway running along the	

rear of Queens Park. The site is located within a prominent, slightly elevated position, along the main entrance to Millom from the west. The site measures 24.9m².

Relevant Planning History

4/26/2064/0F1 – Prior notification applications for installation of 12m monopole which will support 1 no. omni antenna at a mean height of 13.83m along with ancillary equipment thereto including GPS module, 1 no. collinear antenna and 1 no. cabinet together with ground works to facilitate – Withdraw.

Proposal

This application seeks planning permission for the installation of a 12m monopole which will be supported by 1 omni antenna at a mean height of 13.83m. The development also comprises the ancillary equipment including a GPS module, one collinear antenna and one cabinet along with ground works to facilitate the development including the erection of retaining walls, access steps and fencing around the perimeter of the site.

The proposed mast will provide digital communication services for Anglian Water in relation to their Smart Meter communications network.

Consultation Responses

Millom Town Council

No objections in principle to this application.

Cumberland Council – Highway Authority & Lead Local Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) 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

Thank you for the above planning consultation and confirmation from the developer that there should be no detrimental cumulative effects from this proposed development alongside another similar development that was approved in 2024 (planning application ref 4/24/2384/0F1) at this location.

The applicant has included a Declaration of ICNIRP Compliance and 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



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communications services.

The developer should note that there is a 150 / 250mm surface water highway drain under the grass verge marked on Council mapping, when groundworks are undertaken.

Planners may wish to impose a condition regarding construction working hours, notwithstanding any traffic / health and safety concerns, in order to limit any noise disturbance to nearby residents.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to 20 properties.

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

- Having reviewed the application it does not differ from the previous application.
- My position and comments made therefore remain unchanged on this proposal.
- I would reiterate the views I have already expressed still stand and I request that they continue to be taken into full consideration.
- This is a predominantly a residential area and the application would not be in keeping with this area.
- Previous works on and around this crossroad has caused considerable disruption and I have had issues with contractors carrying out these works.
- This installation will contain high energy transmission equipment. There are children in neighbouring properties and the surrounding area. 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 comments previously received by two of the objectors relating to the withdrawn application at this site have been detailed below at their request:

- While I recognise the need for improved telecommunications infrastructure, I strongly believe this proposal is inappropriate for this location.
- The proposal will create a prominent and visually intrusive structure significantly taller than surrounding features.
- Its industrial appearance would be out of keeping with the character of the area and would detract from the openness of the verge and surrounding area.
- It would become a dominant and permanent feature within residents' outlook, negatively affecting the enjoyment of their homes and gardens.
- The scale and siting of the structure would alter the residential character of the area.
- The grass verge and surrounding open space at Horn Hill are regularly used by

children and families for informal play and recreation. The installation of the monopole adjacent to this area where children gather is a concern and may discourage use of the area.

- There remains ongoing public concern regarding potential long-term health implications associated with electromagnetic emissions from telecommunications equipment. Although operators may confirm compliance with recognised safety standards, the precautionary principle should be carefully considered given the proximity to homes and areas used by young children.
- It is unclear whether less visually sensitive or less residentially intrusive locations have been fully explored. Alternative sites away from residential properties and children's recreational areas, or co-location with existing infrastructure, would be more appropriate and would minimise harm to the community.
- Did you know that there is an area around every mast which is ICNIRP non-compliant and is unsafe for the public to enter? This is usually 50m wide and 4.5m vertical clearance. It is commonly called a "public exclusion zone." as this mast is to be sited near dwellings, public hall, public footpath and public road this could pose a health risk!

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 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-



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2016.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy N6: Landscape Protection

Strategic Policy CO1: Telecommunications and Digital Connectivity

Strategic Policy CO4: Sustainable Travel

Other Material Planning Considerations

National Planning Policy Framework (2024)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Assessment

The key issues raised by this application relate to; the principle of the development; settlement character and landscape and visual impact; scale, design and impact on residential amenity; flood risk and drainage; highway safety; and impact on biodiversity and ecology.

Principle of Development

Millom is identified in Strategic Policy DS1 of the Copeland Local Plan as a Key Service Centre, which are towns that are self-sufficient providing a wide range of services, including convenience and comparison stores, employment opportunities, schools and healthcare. They also act as service hubs for nearby villages. The focus for development will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

The settlement boundary for Millom is defined in Strategic Policy DS2. The application site is located within this settlement boundary. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

Strategic Policy CO1 of the Copeland Local Plan states that the Council will support the continued provision of infrastructure that extends and improves digital connectivity across all parts of Copeland.

Paragraph 119 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 application site is located within the settlement boundary for Millom. The proposed mast will provide digital communication services for Anglian Water in relation to their Smart Meter communications network.

The application is therefore considered to comply with Policies DS1, DS2 and CO1 of the Copeland Local Plan and the provisions of the NPPF.

Settlement Character, Landscape Impact and Visual Impact

Policy N6 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhanced by: supporting proposals which enhance the value of Copeland's landscapes; protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value; ensuring development proposals demonstrate that their location, scale, design and materials will conserve and where possible enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park and Heritage; and Requiring a Landscape Appraisal, and where appropriate a Landscape and Visual Impact Assessment, to be submitted where development has the potential to impact upon landscape character or a protected landscape. Where harm is identified the development will only be permitted where the benefits of the development outweigh any potential harm and mitigation and compensation measures must be provided. This policy further states that development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit and where appropriate, the Lake District National Park Landscape Character Assessment¹⁰⁸ from the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 00: Urban.

Strategic Policy CO1 of the Copeland Local Plan states that new development will be supported where it enables the enhancement of Copeland's digital infrastructure without harming the existing street scene or amenity; mast sharing should be considered where



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possible. Adverse impacts on the successful functioning of existing digital infrastructure should be avoided or mitigated where possible. This will be subject to appropriate safeguarding to protect sensitive sites, including those protected for their biodiversity value, important landscapes and heritage assets.

Paragraph 120 of the NPPF states that the number of radio and electronic communications masts, and the sites for such installations, 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 (including wireless) should be encouraged. 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 site is located within a prominent, slightly elevated position, along the main entrance to Millom from the west. The site is located adjacent to the main Highway within a predominantly built-up area. Based on the location of this site the proposed mast would not be considered out of place given the existing infrastructure within the area, i.e. street lighting and telegraph poles. It is therefore considered that the proposal would respect the character of the locality and would not have a detrimental impact on the streetscene or wider landscape.

Whilst the area benefits from existing infrastructure, there currently aren't any communication masts within the area. Permission was however granted under prior approval (ref: 4/24/2384/0F1) for the installation of a 20m monopole located to the east of the site on the junction with the A5093 and Moor Road. This permission has however yet to be implemented. Whilst the permission may still be implemented the provision of two masts within this area would not be considered to be over concentration of these types of development. The application does include within the Planning Statement which sets out a number of other sites considered for the proposal and the reasons for their discount.

The proposal is therefore considered to comply with Policy N6 of the Copeland Local Plan and the provisions of the NPPF.

Scale, Design and Impact of Development

Policy DS4 of the Copeland Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Strategic Policy CO1 of the Copeland Local Plan states that new development will be supported where it enables the enhancement of Copeland's digital infrastructure without harming the existing street scene or amenity; mast sharing should be considered where

possible. Adverse impacts on the successful functioning of existing digital infrastructure should be avoided or mitigated where possible. This will be subject to appropriate safeguarding to protect sensitive sites, including those protected for their biodiversity value, important landscapes and heritage assets.

The erection of a single small monopole in this locality is considered acceptable given the existing character and infrastructure of the area. The scale and design of the proposed pole and surrounding infrastructure is considered acceptable for the proposed use of the site.

The nearest residential property is located approximately 24m to the south west of the application site. This site is separated from the application by existing vegetation. Additional residential properties are also located to the north and south of the application site. Whilst concerns have been raised with regard to the impact of the development upon existing residential amenity, the existing separation distance, vegetation and landforms help to mitigate the impact of the development. The limited height of the structure along with the proposed ground works will also help to mitigate the impact of the development and reduce the prominence within the streetscene.

Whilst concerns have been raised from the public with regard to health and safety implications of the development, the application is supported by a statement certifying that the proposed site shall be operated to be in full compliance with the requirements of the radio frequency (RF) guideline limits of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure and UK legislation. Paragraph 123 of the NPPF states that local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

The Council's Environmental Health team have reviewed this application and have confirmed no objection to the application. They have however suggested that a condition should be imposed to limit construction working hours to limit any noise disturbance to nearby residents. A condition will therefore be included in relation to this.

On this basis, the proposal is considered to be compliant with Policies DS4 and CO1 of the Copeland Local Plan and provisions of the NPPF.

Highway Safety

Strategic Policy CO4 requires that proposals must include safe and direct connections to routes that promote active travel, such as cycling and walking routes where appropriate. Support in principle is outlined for developments which encourage the use of sustainable modes of transport, in particular: proposals that have safe and direct connections to cycling and walking routes where appropriate and those that provide access to regular public transport services; proposals that make provision for electric vehicles; and proposals for the integration of electric vehicle charging infrastructure into new developments. It is required that developments that are likely to generate a large amount of movement secure an appropriate



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Travel Plan and be supported by a Transport Assessment.

The application site is set back from the highway by the grass verge and is located adjacent to the existing footway running along the rear of Queens Park.

The Highway Authority have offered no objections to the proposed development as it is considered that it will not have a material effect on existing highway conditions. It is however advised that the works will require a highway permit, this will be included as an informative on any decision notice.

It is therefore considered the proposal will not have a detrimental impact on highway safety in accordance with Policies CO4 of the Copeland Local Plan and provisions of the NPPF.

Drainage and Flood Risk

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1.

The Lead Local Flood Authority have offered no objections to the proposed development as it is not considered that it will not increase the flood risk on the site or elsewhere.

The proposal is therefore considered to be compliant with the Policy DS6 and DS7 of the Copeland Local Plan, and provisions of the NPPF.

Impact on Ecology and Biodiversity

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however except from these BNG requirements. The application is supported by a Biodiversity Gain Statement, which sets out that the development falls within the de minimis exception as the site measures below the 25m₂ threshold.

The application site is identified as a potential area for natterjack toads. As the application

	<p>site is not located within 200m of a watercourse (as indicated within the ALGE trigger list), and forms part of the grassed highway verge which is maintained, the development is not considered to disturb any habitats. On the basis of the above it is considered that this is not a habitat that is likely to contain natterjack toads.</p> <p>On this basis, it is considered that the development complies with the requirements of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF.</p> <p><u>Planning Balance and Conclusions</u></p> <p>The application site is located within the defined settlement boundary for Millom, which is identified within the Copeland Local Plan as a Key Service Centre. The proposal will provide additional digital communication services for Anglian Water in relation to their Smart Meter communications network.</p> <p>The site is located within a prominent, slightly elevated position, along the main entrance to Millom from the west. The development would reflect the existing vertical infrastructure within the area and would therefore not have a detrimental impact on the streetscene or wider landscape. The development would not result in over concentration of telecommunication infrastructure within the area.</p> <p>The scale and design of the proposed pole and surrounding infrastructure is considered acceptable for the proposed use of the site. The development is not considered to have a detrimental impact on residential amenity, as the existing separation distances, vegetation, landforms, and design help to mitigate the impact of the development.</p> <p>The development is not considered to have an adverse impact highway safety, flood risk, or ecology and biodiversity.</p> <p>The proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

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

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 21st April 2026.
 - Site Location/Legal Plan, Scale 1:1250, Drawing No: 325586-00-010-ML001, Rev: 1, received by the Local Planning Authority on the 21st April 2026.
 - Covering Letter, Prepared by Pegasus Group March 2026, received by the Local Planning Authority on the 21st April 2026.
 - ICNIRP Declaration, received by the Local Planning Authority on the 21st April 2026.
 - Site Plan Existing, Scale 1:200, Drawing No: 325586-00-000-MD001, Rev: 1, received by the Local Planning Authority on the 21st April 2026.
 - Elevation Existing North West, Scale 1:100, Drawing No: 325586-00-002-MD001, Rev: 1, received by the Local Planning Authority on the 21st April 2026.
 - Site Plan Proposed, Scale 1:200, Drawing No: 325586-01-100-MD002, Rev: 2, received by the Local Planning Authority on the 21st April 2026.
 - Elevation Proposed, Scale 1:100, Drawing No: 325586-01-150-MD002, Rev: 2, received by the Local Planning Authority on the 21st April 2026.
 - Section Drawing of Grass Verge, received by the Local Planning Authority on the 21st April 2026.
 - Photographs of Application Site as Existing, received by the Local Planning Authority on the 21st April 2026.
 - Biodiversity Gain Statement, received by the Local Planning Authority on the 21st April 2026.
 - Planning Statement, Prepared by Pegasus Group March 2026, Ref: P24-2528

(LA132), Rev: 1, received by the Local Planning Authority on the 21st April 2026.

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.

Other Conditions:

3. Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours:

- Monday to Friday 08.00 – 18.00
- Saturday 08.00 – 13.00

No construction works shall take place at any time on Sundays or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan.

Informative Notes:

1. Highways

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.

2. Biodiversity Net Gain – Exemption Applies

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act



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1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemptions: The development falls under the de minimis exemption.

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.

Case Officer: C. Burns

Date : 09.06.2026

Authorising Officer: N.J. Hayhurst

Date : 12.06.2026

Dedicated responses to:-