

Our ref: 238879

Date: 19th April 2022

F.A.O The Chief Planning Officer/ Head of Planning
Manchester City Council,
PO Box 532,
Manchester,
M60 2LA

Dear Sir or Madam,

Cellnex

Submission of an Application for a Prior Approval Determination at East Didsbury Kingsway, Willow Court, 962 Kingway, East Didsbury, Manchester, Greater Manchester, M20 5WR

On behalf of Cellnex UK who own / manage the communications site, we submit herewith an application for a prior approval determination to install an upgrade to existing electronic communications base station as part of an upgrade project. This application follows the completion of our pre-application engagement exercise, reflecting so far as is practicable the guidance and comments offered.

The application is submitted in accordance with the requirements of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, and seeks a determination as to whether the Authority's approval will be required for the siting and appearance of the development.

The application comprises:

- i. The written description of the development: an upgrade to existing rooftop telecommunications installation, proposed to remove three antennas at 22.4m on the stub tower and install three antennas at an increased height of 33.2m on the rooftop stub tower, together with 1 GPS antenna, 3 ERS, 6 Bobs and ancillary equipment.
- ii. An O.S. site plan scale (1:1250) on drawing reference 302774-00-004-ML001 showing where the apparatus will be installed.
- iii. Appropriate planning fee.
- iv. The Developer's Notice served on the landowner.
- v. The Developer's Contact Details.

The following information is also provided to assist with your determination of the application:

- vi. The Authority's 1APP form for telecommunications development prior approval applications.
- vii. Drawing reference numbers – providing further details of the siting, layout and design of the development:

302774-00-000-MD002

302774-00-001-MD002

302774-00-002-MD002

302774-00-003-MD002

302774-02-101-MD002

302774-02-151-MD002

302774-02-152-MD002

viii. A certificate of ICNIRP compliance

Developer's Contact Details

All queries in relation to this Notification should be addressed to the undersigned in the first instance.

The following contact details are provided should the Council, members of the public or other stakeholders wish to raise queries direct with Cellnex or Arqiva in the future.

For Cellnex:

Cellnex, Town Planning Team, R+, 4th Floor, 2 Blagrove Street, Reading, RG1 1AZ

Email: planning@cellnextelecom.co.uk

For Dot Surveying:

Dot Surveying, 14 Inverleith Place, Edinburgh, EH3 5PZ

Email: h.gibson@dotsurveying.co.uk / planning@dotsurveying.co.uk

The Scope of the Prior Approval Determination

The permitted development rights granted by Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (the GPDO), exist to facilitate the establishment of modern communications apparatus and infrastructure, judged by successive governments to be important to a modern economy and in attaining sustainability objectives.

The permitted development granted subject to the prior approval procedure is similar to the grant of outline planning permission, with details of precise siting and appearance being reserved. This is explained at paragraph 8.4 of the Code of Best Practice on Mobile Network Development in England, November 2016. The National Planning Policy Framework is also accordingly clear that permitted development rights should not generally be withdrawn.

As a consequence, the scope of determination does not extend to whether the site selected is needed, as the development is acceptable in principle due to planning permission granted by Article 3 and the associated permitted development rights by Part 16 Communications of the GPDO. Likewise, whilst information on alternative sites may be supplied by way of background and context, the extent of control on siting is limited to the precise siting on a site and not the general location.

As the principle of development at the application site is permitted by the GPDO, this support letter focuses on the statutory criteria of detailed siting and appearance. In so doing, this is considered against current town and country planning guidance, including the development plan and other material considerations, and with reference to the operational requirements of the operator and the attempts to accommodate the particular requirement.

The Proposed Development

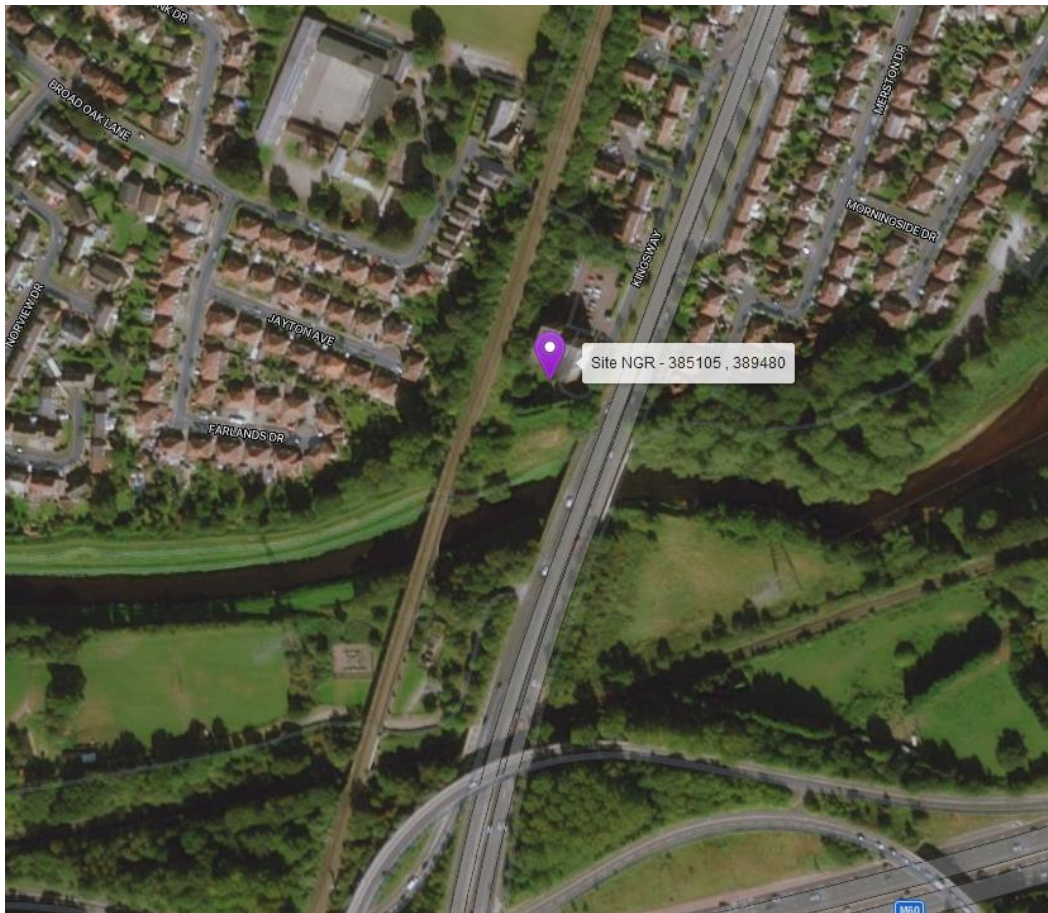
The proposed development comprises of an existing telecommunications installation set within a compound, we propose to upgrade the existing telecommunications installation which will bring benefits to the area. These upgrades are required to take place to existing base station infrastructure to provide radio coverage across the Cumbria area. We propose the following upgrades take place at the application site:

The proposal is an upgrade to existing rooftop telecommunications installation, proposed to remove three antennas at 22.4m on the stub tower and install three antennas at an increased height of 33.2m on the rooftop stub tower, together with 1 GPS antenna, 3 ERS, 6 Bobs and ancillary equipment.

For the avoidance of doubt, the apparatus proposed will assimilate well with the immediate surroundings and the heights and dimensions of the proposed upgrades can be seen on the drawings which accompany this application.

Cellnex will implement and operate the onsite upgrades. Cellnex is licensed by Ofcom, the independent regulator of the UK's communications industries, to use the 412-414MHz radio spectrum for the development of 4/5G. The proposed upgrades will operate in this frequency range.

Figure 1 – Image showing positioning of existing telecommunications compound (image taken from UK Grid Reference Finder).



Compliance with National and Local Planning Policy

Part 16 of the GPDO does not require local planning authorities to have regard the provisions of the development plan in reaching a decisions on prior approval determination applications. The following information, which includes reference to development plan policies in so far as they are relevant to matters of siting and appearance, is provided to help the Authority to understand the public benefits of the development proposed and to explain factors that are relevant to the location and design of the apparatus involved.

(a) Policies for Modern Communications Infrastructure

This proposal is focussed on upgrading existing electronic communications sites, such as the application site which is managed by Cellnex, and new sites will only be developed where this not achievable for technical, operational, or town planning reasons. In this instance it is possible to upgrade this existing site and it will be a critical element in minimising the potential visual impact associated with the deployment of new base station infrastructure. This is consistent with longstanding town planning policy and statutory requirements to install apparatus at existing telecommunications sites or on tall buildings and other high structures where possible.

This planning policy and regulatory framework is provided by:

- Section 10 of the National Planning Policy Framework (NPPF), which provides further guidance on the government's objective of providing high quality communications networks in England. The NPPF clearly acknowledges the benefits of modern electronic communications networks and seeks to encourage such development as being essential due to their role in supporting a modern economy, contributing to sustainable objectives, and enhancing local community access to a range of goods and services. Furthermore, paragraphs 113 and 115 of the NPPF encourage the shared use of telecommunications sites and the installation of antennas on tall buildings. In view of this position, we consider it is unnecessary to have regard to the issue of alternative sites in the determination of this planning application
- Within the Manchester Local Development Framework Core Strategy Development Plan (adopted July 2012), the local plan highlighted the importance of up to date and reliable telecommunications for the area.
- General Condition 3(4) of the Electronic Communications Code (Conditions and Restrictions) Regulations 2003, as amended, which imposes a statutory obligation on Code Operators to share apparatus where practicable

In this case, a search of databases of electronic communications sites identified that the application site is the most suitable location for the development. This is because it is an established electronic communications site, thereby complying with this framework, while ensuring that upgrades installed at the base station here will provide the required level of radio coverage for the local community.

(b) Water Resources and Climate Change Considerations

Government requires local planning authorities to properly consider the issue of climate change and to support necessary infrastructure central to the economic, social and environmental dimensions of sustainable development. Paragraph 149 of the NPPF encourages local planning authorities to take *"a proactive approach to mitigating and adapting to climate change"* taking full account of matters such as water supply and demand considerations. This guidance clearly supports the provision of necessary upgrades to existing telecommunications infrastructure at the application site.

(c) Other Relevant Policies

Our proposed site to the best of our knowledge does not possess any specific designations, however we are aware of the importance of designations upon the Manchester area, and we believe that we have taken the necessary care and attention to the surrounding area in the sitting and appearance of these upgrades and believe that no adverse impacts would be felt in this area. However, our proposal is situated on an existing rooftop which houses a telecommunication installation which can be minimally seen at street level and we deem that no additional visual scarring will be felt upon the area. We believe that our proposal will assimilate well with the immediate surrounding areas and not cause any undue harm to the area and surrounding area.

Access and Maintenance

Access to the site will be provided from the existing vehicular entrance and then use the established internal and external routes to roof level. These existing routes do not require any amendment as part of the development proposed. Once constructed, the development will be unmanned requiring only periodic visits, typically once every two to three months for routine maintenance and servicing. In accordance with all relevant health and safety legislation and guidelines, access to the site will be

restricted to authorised personnel and the routine maintenance and servicing of the apparatus will only be carried out by properly trained and qualified staff.

Electronic communications base stations are specifically designed to prevent unauthorised access by members of the public and, therefore, there is no requirement to incorporate inclusive access arrangements into the proposed layout and design of the development.

Health and Safety Considerations

Every installation on a site owned or managed by Cellnex will be compliant with international standards adopted by the UK Government. A certificate confirming compliance with the relevant ICNIRP guidelines on public exposure has been supplied with this application. The ICNIRP guidelines seek to protect against the well-known thermal effects of radio emissions and include a significant precautionary factor. These guidelines apply to all forms of electronic communications and mobile technology is one of the lowest powered of these.

National planning policy remains clear, provided an application is certified as ICNIRP compliant, local planning authorities should not seek to effectively set different guidelines through the refusal of planning permission.

Pre-Application Engagement

Cellnex use the Code of Best Practice on Mobile Network Development, November 2016, which provides a Traffic Light Model rating assessment (see Appendix B of the Code of Best Practice), to establish the level of other engagement that might be required for any proposed development on its sites. There is an expectation that the level of engagement will be commensurate with the particular scale and sensitivity of the development, so minor works are unlikely to attract the need, in many cases, for detailed engagement with the local community, especially where apparatus is permitted development.

Using this assessment, the development proposed was categorised as green and we, therefore, have not carried out any wider community engagement reflecting the minor nature of the works.

As an acceptable form of development can be brought forward involving minor changes to a long-established shared electronic communications site, it was considered that formal pre-application engagement with the Council's Development Management Team was unnecessary. If, however, you do have detailed comments to make on the proposal we should be pleased to discuss these with you at an early stage in the determination of this application.

We trust everything is in order, but please contact me if you require any additional information or clarification in relation to the proposed development.

Yours faithfully,



Hannah Gibson BSc (Hons)
On behalf of Cellnex

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