

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131617/FO/2021

Date registered valid: 25 January 2022

Proposal: Proposed rooftop installation of 18 no. antennas on new 2m supporting poles, 2 no. transmission dishes 4 no. equipment cabinets and ancillary development thereto

Address: Macdonald Manchester Hotel, 91 London Road, Manchester, M1 2PG

Ward(s): Piccadilly Ward

Applicant: Cornerstone C/o Agent

Agent (if any): Mr Jamaal Hafiz Clarke Telecom Unit E Madison Place , Northampton Road, Manchester, M40 5AG

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 March 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 27 January 2022 Expired: 17 February 2022

Neighbour notifications

Printed: 27 January 2022 Expired: 17 February 2022

Site notice

Posted: Expired:

Press advert

Published: 1 February 2022 Expired: 22 February 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to the rooftop of the MacDonald Hotel. The building was originally designed as a hotel but was put into use as office accommodation and subsequently refurbished for hotel use in 2007 (planning application ref. 081135/FO/2006/C2). The building has a curving plan form and is prominent on London Road and in views from the nearby elevated Mancunian Way.

The hotel is in close proximity to Piccadilly Train Station and the Inner Relief Route. The building is not within a Conservation Area but is near to the Whitworth Street Conservation Area and is seen to a limited extent in views into and out of the conservation area. It can in certain views be seen in conjunction with the Grade II listed railway viaduct immediately to the north, the Grade II Listed Piccadilly Railway Station and the sculptural wall/sound buffer directly opposite the hotel on London Road.

Description of Development

The submitted application seeks planning permission for a proposed rooftop installation of 18 no. antennas on new 2m supporting poles, 2 no. transmission dishes 4 no. equipment cabinets and ancillary development thereto.

Consultations & Notification Responses

Local residents/businesses were notified for 21 days and 1 objection was received. The objection can be summarised as follows:

Impact on Future Expansion Plans

For an external party to apply for works, without the consent of the building operator, could directly jeopardise my client's future development aspirations is wholly unacceptable and should be resisted by the Council.

The roof of the Hotel is an important location for existing and future plant and other infrastructure. Approving this application would jeopardise current property enhancement, refurbishment and repair programmes to external elevations and the roof level.

Conservation Area Impact

The application site sits in direct proximity to the Whitworth Street Conservation Area, an area that accommodates a large number of listed buildings.

Siting 18 no. antennas on new 2m supporting poles, 2 no. transmission dishes 4 no. equipment cabinets and ancillary development on the roof of the Macdonald Manchester Hotel will have a directly adverse impact on the Whitworth Street Conservation Area and should be refused on this basis alone.

Impact on Listed Buildings

The application site is located in very close proximity to a large number of Grade II Listed Buildings, these include:

- The Train Shed and Undercroft of Manchester Piccadilly Station;
- The Former Station Goods Offices;
- The Star and Garter Public House; and
- The Sculptural Wall outside the Moffat Building.

The scale and location of the proposed telecoms works will be visible from each of these locations and will thus detract from their heritage significance and character.

We are aware that a previous application and appeal at the site (Ref:116270/TEL/2017 and APP/B4215/W/18/3192603) for telecoms equipment was refused, in part, relevant to adverse impacts on listed buildings. This application is of a much greater scale and prominence. Comments on objection: Issues regarding Land ownership and the building owner's permission to place is not a planning issue. Notwithstanding the granting of any planning consent, the applicant would still need to gain necessary consent from the building owner to implement the scheme.

Issues raised regarding the impact of the installation on nearby listed buildings and the Whitworth Conservation Area will be considered in the issues section of this report.

Highways – no objections

Environmental Health – recommendation of a noise condition in relation to ancillary plant. HS2 – no objections however recommend and informative is attached to any consent.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC17.1 of the UDP;
- Policies EN3, DM1 and SP1 of the Core Strategy;
- Sections 10, 12 and 16 of the National Planning Policy Framework (NPPF).

Principle of Development

Given background Government planning guidance, a principal theme running through the National Planning Policy Framework is the commitment to ensuring sustainable economic growth. This includes the advancement of infrastructure and the use of smarter technologies.

Paragraph 112 at Section 10 of the NPPF states that “Advanced, high quality communications infrastructure is essential for sustainable economic growth and social well-being”.

Saved policy DC17.1 of the UDP similarly looks to support telecommunication development, subject to minimising any impact upon siting and appearance.

Within a recent letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Sport, dated 24 May 2021, the Government is clear that digital connectivity is considered now, more than ever – vital to enable people to stay connected and businesses to grow. The demand for mobile data is increasing rapidly, and the COVID-19 pandemic has highlighted how important it is that we all have access to reliable, high quality mobile connectivity.

It is stated further that The National Planning Policy Framework (“the Framework”) for England states that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology, such as 5G.

The Framework is clear that decisions on applications should be made as quickly as possible, and within statutory timescales. Local planning authorities must determine applications on planning grounds only and they should not seek to prevent competition between different operators or question the need for an electronic communications system.

In this case, given the prevailing policy and Government support for telecommunication installations coupled with the siting and appearance of the proposed installation in the case, the principle of the proposal is considered satisfactory. The public benefits of a greatly enhanced communications network for businesses, residents and visitors alike in this location, would also qualify as a considerable positive that would contribute to the wider economic output of the area, as well as social improvements.

As such, it is considered that the proposal complies with the overarching policy framework which outlines a general presumption in favour of telecommunication development. It is

necessary however to further assess the appropriateness of the siting and appearance of the proposed equipment, as outlined below.

Visual Amenity

In keeping with the National Planning Policy Framework which advocates the use of high-quality communications infrastructure, the proposed design has been selected to minimise visual impact upon the street scene.

The proposed rooftop installation will be at 39.85m at its highest point compared to the 35 metres of the existing building. The proposed installations would be set in from the roof edge at all three locations. It is recognised that the proposals would be noticeable from surrounding

streets, particularly the elevated Mancunian way however given the scale their impact on visual amenity in the surrounding area is not considered to be overwhelming.

Figure 1 - Submitted Photomontage of the proposed telecommunications installation



The proposal has undergone a sequential site selection, with the current proposal representing the best fit when balancing siting against coverage requirements. The proposed installation will facilitate advanced coverage in the area to aid the social well-being and business needs of the occupants of the nearby properties and local businesses.

Given the height of the installation above street level and that they are set in from the roof edge, it is considered that on balance, the proposed installation is unlikely to be significantly intrusive or noticeably detectable beyond the immediate area and therefore not have an undue impact upon either the appearance of the area.

Impact on Nearby Listed Buildings and Conservation Area

The hotel building is close to a number of listed buildings and structures which include the Grade II listed railway viaduct immediately to the north, the Grade II Listed Piccadilly Railway Station and the sculptural wall/sound buffer directly opposite the hotel on London Road.

The objector has made reference to a telecommunications application that was refused and upheld at appeal on the footway of London Road close to the building (ref. 116270/TEL/2017). This application was for a telephone kiosk located on the footway and therefore has a greater visual impact on the Grade II listed viaduct than the proposed rooftop installation due to its siting.

The building is located near to the Whitworth Street Conservation Area and whilst it can be seen to a limited extent in views into and out of the Conservation Area, the proposed installation is not considered to significantly harm the setting of the Conservation Area.

Whilst the buildings can be seen the same context of the application site, the proposed installations due to their scale and siting at a significantly higher level than the listed buildings, the proposal is not considered to significantly harm the setting of the listed buildings.

As such, the impacts of the development amount to less than substantial harm as defined by paragraph 202 of the NPPF which would be outweighed by the public benefits which would allow 5G rollout to increase connectivity in the area.

Impact on Health and Safety

The role of the planning system however is not to duplicate existing controls under other legislation and is not the place to determine health safeguards. It is the Government's view that if a proposed development conforms to International Compliance for Public Exposure Guidelines for Public Exposure to Electromagnetic Fields established by the International Commission on Non Ionising Radiation Protection (ICNIRP), further consideration of this issue should not be necessary by the Local Planning Authority.

It should also be noted that within the recent letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Support, dated 24 May 2021, it is stated that the Government's independent advisers on matters of public health, are clear that there is no credible evidence of a negative impact of mobile technology, including 5G on people's health. Central to PHE's advice are the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), which is formally recognised by the World Health Organisation.

Alternative sites

Saved UDP policy DC17 states that 'wherever possible, the Council will expect the potential of existing buildings and masts, including the sharing of such facilities, to be fully explored before agreeing to additional separate development'. The applicant has provided details of a number of sites considered in line with policy DC17 explaining these were discounted due to a number of reasons including the height of nearby buildings, site redevelopment, ICNIRP compliance issues and building roof design.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the

planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Site Location Maps drawing number 100A
- Existing Site Plan drawing number 200A
- Proposed Site Plan drawing number 201A
- Existing Site Elevation drawing number 300A
- Proposed Site Elevation drawing number 301A
- General Background Information for Telecommunications Development
- Site Specific Supplementary Information (including copies of pre-consultation & coverage plots as appropriate)
- Health and Mobile Phone Base Stations document
- ICNIRP declaration & clarification statement

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit
High Speed Two (HS2) Limited

Room 3 Flat 66, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 66, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 65, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 64, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 63, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 63, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 62, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 60, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 58, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 57, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 53, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 53, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 52, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 51, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 48, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 47, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 46, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 45, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 44, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 43, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 40, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 37, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 36, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 35, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 35, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 33, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 33, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 32, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 29, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 24, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 123, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 123, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 121, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 118, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 117, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 117, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 117, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 5 Flat 116, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 115, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 114, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 114, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 113, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 6 Flat 112, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 4 Flat 112, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 3 Flat 108, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 2 Flat 108, Mill Point, 29 Berry Street, Manchester, M1 2AR
Room 1 Flat 105, Mill Point, 29 Berry Street, Manchester, M1 2AR

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Room A Flat 71, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 70, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 67, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 67, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 66, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 64, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 63, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 63, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 153, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 153, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 148, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 147, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 147, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 143, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 141, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 135, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 132, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 131, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 130, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 127, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room E Flat 126, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 124, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 120, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room B Flat 118, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 116, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room A Flat 115, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room D Flat 112, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH
Room C Flat 110, Piccadilly Point, 23 Berry Street, Manchester, M1 2DH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: CITY2