

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131589/TEL/2021

Date registered valid: 7 October 2021

Proposal: Installation of 15m monopole supporting antennae and fibre cable together with associated radio housing cabinets

Address: Gable End Of 39 Seddon Street, Manchester

Ward(s): Levenshulme Ward

Applicant: Grogan IX Wireless Ltd Lockside Office Park, Preston, PR2 2YS

Agent (if any):

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 November 2021

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 20 October 2021 Expired: 10 November 2021

Neighbour notifications

Printed: 20 October 2021 Expired: 10 November 2021

Site notice

Posted: Expired: Posted: 21 October 2021 Expired: 11 November 2021

Press advert

Published: 26 October 2021 Expired: 16 November 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to an area of pavement, on the northern side of Matthews Lane, adjacent to the junction with Seddon Street, in a mostly residential area. Seddon Street comprises of a row of terraced properties and the end property (no.39) has a blank gable side wall that faces Matthews Lane. These properties are approximately 8 metres high to the roof apex.

Adjacent to the side gable of no.39 is an area of pavement, which is roughly triangular in shape, varying in width from 3 metres to 4.5 metres, in the area adjacent to the house. In this area, and against the gable wall, the submitted application seeks prior approval for the installation of a 13 metre high monopole supporting antennae and an associated 2 metre high antennae support structure, giving it an overall height of 15 metres. The structure would support fibre cable, which would link into a wider network and a 1.84 metre high equipment cabinet and feeder pillar would be sited at ground level. All the equipment would be positioned tight against the gable wall.

The proposal has been advertised, on site and in the press, as development affecting a right of way and development in the public interest.

Consultations & Notification Responses

Local residents - No comments received.

Highway Services - Makes the following comments:

Sufficient carriageway clearance is being provided and sufficient footway width is being maintained. Use of this part of the footway would need to be in agreement with the relevant council department.

It is accepted by highways that the proposals would not cause a distraction to passing vehicles and would not give rise to forward visibility issues.

Operatives undertaking servicing / maintenance thereafter will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

Strategic Area and Citywide Support Manager - No objections in principle, but recommends that conditions are attached, to any approval, in relation to construction hours and the acoustic insulation of external equipment.

As this is a prior approval application the only issues, which can be taken into account, are siting and design and the indicated noise insulation condition is not therefore considered to be appropriate. Construction hours are provided as an informative.

Greater Manchester Police -Makes the following comments:

Whilst telecommunication masts are not subject to high levels of natural surveillance their position close to the main road will encourage passive surveillance, from the surrounding residential properties, passing cars and pedestrians, during the day and evening .

It is recommended that the cabinets are of robust construction and that lighting is provided to illuminate the location during the night as existing street lighting is likely to be insufficient and that CCTV is included to monitor or record any criminal behaviour. This has been provided to the applicant as an informative.

Issues

Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016

The proposal falls within Part 16, Class A - 'Electronic communications code operators', of the above regulations. This requires that Local Planning Authorities assess whether prior approval is required for the siting and appearance of the development.

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

The Framework has been related to the proposed development, with particular emphasis given to the following:

Section 10 Supporting high quality communications infrastructure - The following paragraphs are considered to be relevant:

i. Paragraph 114 - 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. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

ii. Paragraph 115 - 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.

iii. Paragraph 117 - States that applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

(a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

(b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or

(c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be

decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC17 relates to telecommunications and states that the council should be satisfied that the development has been sited and designed to minimise its impact on residential amenity and in environmentally sensitive areas.

Siting - It is noted that there are a number of street lighting columns, in the vicinity of the site along with bus stops and other street furniture.

The proposed mast is for IX Wireless Ltd, which will facilitate the extension of a gigabit capable fixed wireless electronic communications network. The Applicant's typical town network deployment comprises of a distribution 'ring' network, which distributes bandwidth and provides network redundancy, and a local access network that enables users to connect to the Applicant's network and the wider Internet via the distribution network. The distribution network is a full-fibre network, whilst the local access network can be created either wirelessly, through the deployment of radio antennae mounted on street poles, or by flying additional GPON fibre supported by the street pole and additional wooden poles. Street Poles are located at the junction between the distribution network and the local access network and perform several functions, including supporting aerial fibre that forms part of the distribution network, radio antennae and/or GPON fibre to form local access networks and other telecommunication apparatus.

The applicant has applied the sequential test to the provision of new and upgraded telecoms equipment, and is utilising the existing site in line with NPPF guidelines. IX Wireless are in the process of rolling out its hybrid fixed wireless gigabit capable broadband that utilises radio frequencies and their fixed wireless network requires line of sight and has signal limitations of up to 1km and therefore cannot travel as far as the mobile frequencies currently in use. Also, antennae need to be installed at a height of at least 12m and achieve a 360 degree coverage. The applicant states that they have no existing ground sites or structures in this area and cannot use any third party existing structures that provide installations for mobile operators given their positioning (which satisfies the technical requirements for mobile technologies but not fixed wireless technologies - radio frequencies used in 4G networks can pass through structures and do not require line of sight) and utilisation of any available space on any masts in appropriate areas for the deployment by the operator of 5G technologies. The applicant states that there are no suitable tall buildings within the constrained search area.

A number of other similar sites, in this area, were considered and discounted due to existing services in the footway and proximity of the mast to windows to residential properties. In the case of the application site, there are no windows in the side gable elevation of 39 Seddon Street

There are residential properties, in close proximity to the site, most particularly no.39 Seddon Street that directly adjoins the site, but the Matthews Lane frontage, on which the mast is located is a busy route with a bus service, which links the main radial routes of Stockport Road and Hyde Road, via Matthews Lane and Mount Road, and Matthews Lane does also contain a number of commercial uses.

There are a number of high-level lighting columns adjacent to the site, along Matthews Lane, with a number of trees and road signs also along this frontage, and the mast would largely be seen against the backdrop of a blank gable wall. The antennae, at the top of the mast, are of a relatively small scale, with a diameter not much wider than the base of the mast. The fibre cable constitutes permitted development and is not therefore subject of this application. It is positioned above the apex of the roof of the adjoining terraced properties and the applicant has nevertheless confirmed that the fibre cable is flown via a series of telegraph poles to the mast, which are on average 35m apart with the cable no less than 6 metres above ground level. The cabinet is quite tall, at 1.84 metres, but is positioned right up against the gable wall, so would be

seen in that context and this is considered to be its most appropriate position as a necessary ancillary feature to the mast. It is not therefore considered that the works would have a harmful visual impact upon the locality, and it is considered that the proposed location is therefore acceptable in principle.

In relation to highways the site lies on a sufficiently wide area of footpath, approximately 4 metres wide at its installation point. There is a tree, in the pavement, adjacent to the site, but a gap of approximately 3 metres would be retained between the tree and the proposed mast/cabinet. A footway clearance of over 2 metres has therefore been maintained between all equipment and the edge of pavement/other street features, and this is considered to be acceptable and it is not considered that this would unduly restrict the movement of wheelchair and buggy users. It is therefore considered that the proposal would have no adverse highways implications.

Residential amenity - The site is located in proximity to a number of residential properties, but the proposed mast is positioned right up against the gable wall, of 39 Seddon Street, and it is not considered that the proposed mast would detract from the attractiveness of this area. It is considered that the proposed mast would be primarily viewed as an element of the Matthews Lane frontage, where other street furniture and trees are present, and against the backdrop of a blank gable. In visual terms it is not therefore considered that the proposal would have an undue impact upon the amenity of local residents.

Design - The proposal is for the siting of a new 15 metre high telecommunications column and ancillary development including antennae and a cabinet at its base. The proposed cabinet is of a simple square box/rectangular shape and the monopole is cylindrical and very similar to other telecommunications equipment within the vicinity and elsewhere in the City. The applicant has confirmed that the mast/cabinets would have a grey finish, which is considered acceptable in this location.

The design of the proposal is considered to be acceptable in this instance, and it is considered that it has been designed to blend in with the surrounding street scene and would not draw undue attention to itself.

Noise impact - The application seeks the prior approval of the City Council in relation to the siting and appearance of the development and the potential noise impact is not a matter that can be considered. If the equipment creates noise disturbance in the future there are alternative powers, available to the City Council, to address this.

Health and safety - The proposal accords with all relevant health and safety requirements, including the guidelines of the International Commission for Non-Ionising Radiation Protection (ICNIRP) as adopted in the EU Council Recommendation of 12 July 1999 on the limitation of exposure to the general public to electromagnetic fields. A declaration of conformity with ICNIRP Public Exposure Guidelines has been submitted with the application and meets guidelines in terms of health aspects that a local planning authority does not need to give further consideration to health aspects given an ICNIRP has been submitted.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application. In this case clarification was sought regarding clearance distances on the adjoining footway and the proposal was considered to be in accordance with City Council policy and no additional amendments were sought.

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

1) The City Council is satisfied that this development has been sited and designed to minimise the impact on residential amenity and the visual amenity of the surrounding area. The proposal is also suitably sited to ensure there is no detriment to highway and pedestrian safety. Accordingly, the proposal complies with Section 10 of the National Planning Policy Framework, policies SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policy DC17.1 (Telecommunications) of the Unitary Development Plan for the City of Manchester.

Consent is hereby granted in accordance with the following drawings and documents:

Site location plan

Declaration of Conformity with ICNIRP Public Exposure Guidelines dated 31 August 2021

Planning Statement dated August 2021

All stamped as received by the City Council as Local Planning Authority on 7 September 2021.

Drawings numbered IXW-PP-MAN-SCH3SP1-001 and IXW-PP-MAN-SCH3SP1-002

Site Specific Information Document (ref: Scheme 1 Pole 1)

All stamped as received by the City Council as Local Planning Authority on 7 October 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC17.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework (NPPF).

Informatives

1) It is recommended that the cabinets are of robust construction and that lighting is provided to illuminate the location during the night as existing street lighting is likely to be insufficient and that CCTV is included to monitor or record any criminal behaviour.

2) any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

8 Brook Avenue, Manchester, M19 3DQ
9 Randolph Street, Manchester, M19 3AU
34 Maida Street, Manchester, M12 4QQ
32 Maida Street, Manchester, M12 4QQ
43 Damien Street, Manchester, M12 4GW
35 Damien Street, Manchester, M12 4GW
33 Damien Street, Manchester, M12 4GW
7 Randolph Street, Manchester, M19 3AU
40 Seddon Street, Manchester, M12 4GP
35 Seddon Street, Manchester, M12 4GP
31 Seddon Street, Manchester, M12 4GP
6 Brook Avenue, Manchester, M19 3DQ
5 Brook Avenue, Manchester, M19 3DQ
4 Brook Avenue, Manchester, M19 3DQ
3 Brook Avenue, Manchester, M19 3DQ
2 Brook Avenue, Manchester, M19 3DQ
6 Cuthbert Avenue, Manchester, M19 3DG
38 Maida Street, Manchester, M12 4QQ
41 Damien Street, Manchester, M12 4GW
33 Seddon Street, Manchester, M12 4GP
4 Cuthbert Avenue, Manchester, M19 3DG
2 Cuthbert Avenue, Manchester, M19 3DG
42A Seddon Street, Manchester, M12 4GP
1A Brook Avenue, Manchester, M19 3DQ
38 Seddon Street, Manchester, M12 4GP
42 Seddon Street, Manchester, M12 4GP
1 Brook Avenue, Manchester, M19 3DQ
36 Maida Street, Manchester, M12 4QQ
39 Damien Street, Manchester, M12 4GW
37 Damien Street, Manchester, M12 4GW
5 Randolph Street, Manchester, M19 3AU
3 Randolph Street, Manchester, M19 3AU
1 Randolph Street, Manchester, M19 3AU
37 Seddon Street, Manchester, M12 4GP
36 Seddon Street, Manchester, M12 4GP
34 Seddon Street, Manchester, M12 4GP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2