MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	131873/TEL/2021
Date registered valid:	8 October 2021
Proposal:	Prior approval for the installation of a 20 metre monopole and cabinet at base together with associated ancillary works
Address:	Footway Adjacent To Former Plant Hill Police Station Plant Hill Road, Manchester, M9 8LU
Ward(s):	Higher Blackley Ward
Applicant:	CK Hutchison Networks (UK) Ltd Great Brighams Mead, Vastern Road, Reading, RG1 8DJ
Agent (if any):	Eve Wyke WHP Telecoms Limited 1a Station Court, Station Road, Guiseley, Leeds, LS20 8EY
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	30 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: 25 October 2021 Expired: 15 November 2021

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site relates to the footway adjacent to the Former Plant Hill Police Station in the north Manchester ward of Higher Blackley. The 5G mass is proposed to be placed directly in front of an existing building which forms part of the Former Plant Hill Police Station. The building is approximately 5 metres in height. Plant Hill Road is well-used within the area, with footways available for public access. Various trees are positioned close to the footpaths on both sides of the road.

The immediate area is mixed. To the north of the site is a former school which is currently under reconstruction and the north east and east is characterised with green open space and trees. A medical centre lies opposite to the site, with additional green open space beyond to the south. The west of the site is characterised with low rise residential bungalows and houses.

The agent gives the following justification as to why the site was chosen. The mast would be located on the corner where the pavement is at its widest and free of street furniture. The cabinets would be positioned against railings just before the junction. The site has been selected on a wide adopted area of the highway. The height of the pole has been kept down to the absolute minimum capable of providing the required essential new 5G coverage.

Description of development

Prior approval is sought for the installation of a 20 metre monopole and cabinet at base together with associated ancillary works. An additional G-100876 cabinet and 2 proposed cabinets would be located to the right of the monopole.

Planning history

081964/FO/2007/N1- Plant Hill Police Station- Creation of ramped access to front entrance of building. Approved 19 March 2021.

Pre- planning consultation

On 4 October, WHP Telecoms emailed the Local Planning Authority to inform the City Council that a formal application would be submitted. A reply was sent explaining reservations with the site. It is acknowledged that the reply may have been received by the agent after formal planning permission was submitted.

Consultations & Notification Responses

Local residents

The occupiers of the surrounding properties were consulted, and no representations were received.

Highways

Highways were consulted on the proposal and stated they are unable to support this application due to the width of the footway being insufficient and ongoing proposals for the area.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) 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;

b) 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
c) 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 following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 10. Supporting high quality communications- Explains how 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. It specifically states that 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.
ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces. Where development is not well designed, it should be refused.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which 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. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The 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.

Policy SP1 (Spatial Principles); which sets out 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, amongst these include: 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.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policy is of relevance in the consideration of this application:

Policy DC17.1 states that applications for telecommunications developments will normally be approved if the Council can be satisfied that the development has been sited and designed to minimise its impact on residential amenity and in environmentally sensitive areas. 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.

ISSUES

Principle of development

The Town and Country Planning (General Permitted Development) (England) Order 2015 confers 'permitted development rights' for certain types of telecommunications development. These permitted development rights remove the need to submit a full planning application for masts and equipment of the type proposed.

This means that the Local Planning Authority can only control the details of the siting, design and external appearance of a telecommunication development, as the acceptability of the principle of the development is already established.

The principal issue relates to the impact upon visual amenity and upon the character and appearance of the area, as consequence of the siting and appearance of the proposed installation.

In this case, the siting and appearance of the proposed installation is not considered acceptable. When taking into account the public benefits of an enhanced communications network for businesses, residents, the benefits are considered to be outweighed by the effects upon visual amenity as a consequence of the siting and appearance of the proposed installation.

Although the applicant site has open space surrounding the submitted proposal, future development plans on the Former Plant Hill Police Station are known to the Local Planning Authority. The site would become home to residential properties and thus the visual amenity to these properties must be considered.

Siting and Appearance

The proposed site is situated opposite a medical centre. To the north of the site is a former school which is currently under reconstruction and the west of the site is characterised with low rise residential bungalows and houses. Residential properties are planned for the Former Police Station site itself.

The proposed mast at 20 metres high would dwarf the adjoining properties and appear as a dominant, intrusive and conspicuous feature in the streetscene. In turn, this would be harmful to the visual amenity of the area and in particular, occupiers associated with the future development, the school under construction, and low rise bungalows and houses on or close to Plant Hill Road.

It is believed that the proposed telecommunication installation would have a harmful impact to

the visual appearance of the area. The tree lined road on both sides presents an open, spacious character and the proposed mast would be particularly noticeable and would dominate existing street furniture, detracting from the attractive, green and open character of this part of Plant Hill Road.

Whilst the public benefits of a greatly enhanced communications network for businesses, residents and visitors alike in this location would qualify as a considerable positive, the impact upon visual amenity as a consequence of the proposed siting and appearance of the installation is considered to outweigh these factors in this case.

On balance, it is considered that the proposed telecommunication installation would be out of context in the streetscene and detrimental to the character and appearance of the open nature of the surrounding area and the visual amenity of neighbouring residential occupiers.

For these reasons, the proposed installation would be contrary to guidance within the National Planning Policy Framework (NPPF), policies and SP1 of the Manchester Core Strategy saved policy DC17.1 of the Unitary Development Plan for Manchester.

Impact on Health

The role of the planning system is not to duplicate existing controls under other legislation and is not the place to determine health safeguards. It is the Governments' 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 Sport, 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.

Access

The proposed equipment has been sited towards the back of the pavement as far as possible, so not to impede pedestrian access along the footway. However, Highways are unable to support this application due to the width of the footway being insufficient. As such, the location chosen is not suitable for the proposal.

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 polices 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: Refuse

Article 35 Declaration

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

1) The City Council is not satisfied that this development has been sited and designed to minimise the impact upon visual amenity. The proposed telecommunication installation by reason of its height, siting and appearance, would be unduly harmful to the character and visual amenity of the streetscene, whilst also being visually intrusive to current and future neighbouring residential properties along this part of Plant Hill Road. The proposed telecommunications equipment would therefore be contrary to policies DM1 and SP1 of the Manchester Core Strategy (2012), saved policy DC17.1 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (NPPF).
2) The proposed development, due to its siting and size, would result in the existing footway on Plant Hill Road being reduced in width which would have a detrimental impact on pedestrian movement. The proposal would therefore have an unacceptable impact on highway and pedestrian safety. As such, the proposed installation is considered contrary to policies DM1 and SP1 of the Manchester Core Strategy (2012), saved policy DC17.1 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services

The School Bungalow, Bank House Road, M9 8LY
Camberwell Park School, Bank House Road, M9 8LY
33 Bank House Road, Manchester, M9 8LY
Health Centre, Plant Hill Road, Manchester, M9 8LX
124 Plant Hill Road, Manchester, M9 8LU
122 Plant Hill Road, Manchester, M9 8LU
120 Plant Hill Road, Manchester, M9 8LU
Day Nursery, Chapel Lane, Manchester, M9 8LX
35 Bank House Road, Manchester, M9 8LY
31 Bank House Road, Manchester, M9 8LY
29 Bank House Road, Manchester, M9 8LY

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1