

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 131581/TEL/2021

**Date registered valid:** 6 September 2021

**Proposal:** Prior Approval for the removal and replacement of 9 no. existing antennas with 9 no. upgraded antennas and the installation of 9 no. new antennas located on new support poles on the rooftop

**Address:** 30 Mason Street, Manchester, M4 5EY

**Ward(s):** Piccadilly Ward

**Applicant:** CTIL and Telefonica UK Limited C/o Agent

**Agent (if any):** Miss Vicky Parsons, Clarke Telecom, Unit E Madison Place, Northampton Road, Manchester, M40 5AG

**Case officer:** Steven McCoombe  
Tel: 0161 234 4607  
Email: [steven.mccoombe@manchester.gov.uk](mailto:steven.mccoombe@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 20 October 2021

## **Application details**

**Type of application:** Telecommunication Application

**Development type:** Notifications

**Date of site visit:** 22 September 2021

### **Standard consultations:**

Printed: 13 September 2021      Expired: 4 October 2021

### **Neighbour notifications**

Printed: 13 September 2021      Expired: 4 October 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**

The application site relates to a four storey, rectangular, partially dilapidated, flat roof, warehouse building, part of which has converted to residential apartments and with the remaining part of the building most recently used as an educational facility and currently thought to be vacant.

The host building currently accommodates 9 no. existing antennas at roof top level, equipment cabinets located internally within an equipment cabin and ancillary development. It also hosts existing third party operator telecommunications equipment with associated equipment cabinets/cabins

The building is adjoined by buildings of a similar scale to the north, west and south and by a surface level car park to the east.

**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

## **Description of area**

The application site is located on the north -eastern fringe of the city centre within a regeneration area covered by the New Cross Neighbourhood Development Framework and is situated a short distance from the busy inner relief ring road and the main north/south route of Rochdale Road to the west.

The immediate area comprises buildings built on a strong grid pattern and includes various uses consisting of a number of historic, low level warehouses of a traditional red brick character and

more recent style office buildings, interspersed with a series of surface level car parks and new residential and hotel development. Just to the north west of the site is a 20 storey residential building known as Skyline Central.

The area has begun to undergo significant development activity, including residential conversions, new build apartment blocks and hotels to be built as part of the regeneration strategy for the area which aims to create a high quality, residential led neighbourhood.

### **Description of development**

Prior approval is sought for the removal and replacement of 9 no. existing antennas with 9 no. upgraded antennas and the installation of 9 no. new antennas located on new support poles on the rooftop of 30 Mason Street. The top height of the masts is 19.4 metres above ground level, with the length of proposed pole mount mast taken by itself being 3.85 metres in height.

The overall height of the apparatus will be reduced, from 21.82 metres to 19.4 metres above ground level, as the proposed support poles will be located on the rooftop and the existing poles which are currently fixed to the existing equipment cabin will be removed. In order to improve capacity on the 2G, 3G and 4G networks, and to provide new 5G coverage, it is required to replace the 9 no. existing antennas with 9 no. upgraded antennas, and also install 9 no. new antennas.

The positioning of the antennas has been guided by technical requirements and orientated in a certain way to provide the correct coverage.

The upgraded antennas have a similar appearance, be made of the same materials and will be of the same colouring as the existing pole-mounted antennas already in situ.

It is also proposed to install 2 no. GPS modules, which will be fixed to the top of the proposed support poles on the rooftop, as well as ERS units, said be around the size of a shoebox.

The proposal is part of Cornerstone and Telefónica's network improvement programme, Telefónica is in the process of upgrading a number of their existing sites in order to provide improved 2G, 3G and 4G coverage and capacity, and new 5G service provision in line with Government objectives.

The application is submitted pursuant to Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

### **Consultations & Notification Responses**

Local Residents/Occupiers – No representations received.

### **Policy**

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

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

## **Issues**

### **Principle**

The Town and Country Planning (General Permitted Development) (England) Order 2015 confers 'permitted development rights' for certain types of telecommunications development. This now includes the erection of telecommunications masts which do not exceed a height of 20m above ground level. These permitted development rights remove the need to submit a full planning application, but rather require what is termed a 'prior notification' application to be made.

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 Local Planning Authority has 56 days in which to let the applicant know of its decision on whether prior approval is required for siting and appearance and to let the operator know of its decision to allow or refuse approval.

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.

### Siting and Appearance

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 by integrating with an existing installation. The host rooftop has been occupied by telecommunication equipment for a number of years and to some degree has become an established part of the street-scene in this area.

In this instance, it is considered that the applicant has minimised the impact by practicable and appropriate siting and design, by utilising an existing site, balancing the siting and appearance of the installation against technical requirements and material planning policy and guidance which advocates a presumption in favour of such equipment.

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.

In terms of appearance, the design reflects the vertical emphasis provided neighbouring buildings and the existing rooftop installation.

The proposed upgrade will utilise the existing rooftop, with the proposed changes considered negligible.

The overall height of the apparatus will be reduced, from 21.82 metres to 19.4 metres above ground level, as the proposed support poles will be located on the rooftop and the existing poles which are currently fixed to the existing equipment cabin will be removed.

Given the height of the installation above street level and the enclosure formed by neighbouring building and those likely to come forward in the future as part of the regeneration of the area, views of the site are considered minimal and not far reaching.

On balance, given the context of the existing equipment, the proposed installation is unlikely to be significantly intrusive or noticeably detectable beyond the immediate area and above the eyeline of neighbouring occupiers.

As such, the impact is not considered so significant so as to have an undue impact upon either the appearance of the area or upon residential amenity.

In light of the existing context of an existing installation and the concentration of equipment at an existing site to allow site sharing, coupled with removing the need to use a further site in the area, the siting and appearance of the proposal is considered satisfactory

### 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 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 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.

### **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

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

1) The City Council is satisfied with the siting and appearance of the proposed telecommunication installation, in accordance with 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). The consent hereby provided shall ensure the installation be carried out only in accordance with drawings numbered 100/A, 201/A and 301/A, together with accompanying documents, received by the City Council as Local Planning Authority on 6 September 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).

## **Appendix 1 – List of consultees & neighbours notified**

### Highway Services

Flat 13, 32 Mason Street, Manchester, M4 5EY  
Flat 12, 32 Mason Street, Manchester, M4 5EY  
Flat 11, 32 Mason Street, Manchester, M4 5EY  
Flat 10, 32 Mason Street, Manchester, M4 5EY  
Flat 9, 32 Mason Street, Manchester, M4 5EY  
Flat 8, 32 Mason Street, Manchester, M4 5EY  
Flat 7, 32 Mason Street, Manchester, M4 5EY  
Flat 6, 32 Mason Street, Manchester, M4 5EY  
Flat 5, 32 Mason Street, Manchester, M4 5EY  
Flat 4, 32 Mason Street, Manchester, M4 5EY  
Flat 3, 32 Mason Street, Manchester, M4 5EY  
Flat 2, 32 Mason Street, Manchester, M4 5EY  
Flat 1, 32 Mason Street, Manchester, M4 5EY  
Flat 10, 34 Mason Street, Manchester, M4 5EZ  
Flat 9, 34 Mason Street, Manchester, M4 5EZ  
Flat 8, 34 Mason Street, Manchester, M4 5EZ  
Flat 7, 34 Mason Street, Manchester, M4 5EZ  
Flat 6, 34 Mason Street, Manchester, M4 5EZ  
Flat 5, 34 Mason Street, Manchester, M4 5EZ  
Flat 4, 34 Mason Street, Manchester, M4 5EZ  
Flat 3, 34 Mason Street, Manchester, M4 5EZ  
Flat 2, 34 Mason Street, Manchester, M4 5EZ  
Serviced Apartment 1, 34 Mason Street, Manchester, M4 5EZ  
Second Floor, 30 Mason Street, Manchester, M4 5EY  
Ground Floor, 46 Marshall Street, Manchester, M4 5FU  
Basement, 46 Marshall Street, Manchester, M4 5FU  
Third Floor, 46 Marshall Street, Manchester, M4 5FU  
Second Floor, 46 Marshall Street, Manchester, M4 5FU  
First Floor, 46 Marshall Street, Manchester, M4 5FU  
MANCHESTER ACADEMY UK, First Floor, 30 Mason Street, Manchester, M4 5EY  
Third Floor Left Unit 9, 30 Mason Street, Manchester, M4 5EY  
Third Floor Right Side Unit 10, 30 Mason Street, Manchester, M4 5EY  
Basement Unit 2, 30 Mason Street, Manchester, M4 5EY  
Basement Unit 1, 30 Mason Street, Manchester, M4 5EY  
Basement, 30 Mason Street, Manchester, M4 5EY  
Second Floor Unit 8, 30 Mason Street, Manchester, M4 5EY  
Second Floor Unit 7, 30 Mason Street, Manchester, M4 5EY  
Ground Floor, 30 Mason Street, Manchester, M4 5EY  
30A Mason Street, Manchester, M4 5EY  
46 Marshall Street, Manchester, M4 5FU  
John Swift Building, 19 Mason Street, Manchester, M4 5FT  
28 Mason Street, Manchester, M4 5EY

## **Appendix 2 – Planning constraints**

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3  
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  
Area Team Boundary - Name: NORTH1

