

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130449/TEL/2021

Date registered valid: 17 May 2021

Proposal: Prior approval for the removal of 6 no. Vodafone antennas and the installation of 9 no. Vodafone antennas together with internal works to the existing plant room and ancillary development comprising a cable tray, breakout boxes, wall units and connecting cables on the roof of the building.

Address: Communication Station On Roof, Alberton House, 30 St Marys Parsonage, Manchester, M3 2WJ

Ward(s): Deansgate Ward

Applicant: Cornerstone and Telefonica UK Ltd C/o Agent

Agent (if any): Miss Dianne Perry Clarke Telecom Ltd 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: 29 September 2021

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The site relates to the roof of Alberton House, which lies just outside the Parsonage Road Conservation Area.

The proposal is close to Grade II Listed National Buildings, Grade II Listed Arkwright House and Grade II Listed No 3 St Mary's Parsonage.

Description of Development

The submitted application seeks prior approval for the removal of 6 no. Vodafone antennas and the installation of 9 no. Vodafone antennas together with internal works to the existing plant room and ancillary development comprising a cable tray, breakout boxes, wall units and connecting cables on the roof of the building.

Consultations & Notification Responses

Local residents were notified however no responses were received

Policies

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements

for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

Chapter 10. Supporting high quality communications

114. 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).

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.

116. Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:

- a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
- b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services

Local Development Framework - Core Strategy Development Plan Document (adopted July 2012) 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 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 Saved Policies

DC17 Telecommunications 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.

Issues

Principle

The Council supports the principle of improving telecommunications coverage within the City, however, in doing so it seeks to ensure that visual and residential amenity is not impacted upon to an unacceptable degree.

The proposal falls within Part 16, Class A - 'Electronic communications code operators', of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This requires that Local Planning Authorities assess whether prior approval is required for the siting and appearance of the development.

Siting and Appearance and impact on setting of heritage assets -

The siting and appearance have been minimised. The additional structures on this building are not considered to be significant in the context of the buildings height and the existing installations.

It is considered that, due to the views of the application site from within the conservation area, the proposal will cause less than substantial harm to the significance of the Conservation Area.

The applicant has provided a heritage appraisal of the proposed installation and views in conjunction with surrounding Listed Buildings which demonstrates the proposed installation would have limited views which would not cause any significant harm to the setting of heritage assets.

In this regard, Paragraph 196 of Section 16 of the National Planning Policy Framework states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The proposal relates to the upgrade of the existing telecommunications site located on the rooftop of Alberton House, St Mary's Parsonage. The upgrade will improve capacity on the 2G, 3G and 4G networks for two Mobile Network Operators (Vodafone and Telefonica) and will also introduce 5G coverage for both operators to this busy city centre area of Manchester. This multi-technology service will be enabled from one radio base station, thus minimising the number of telecommunications installations in the area and ensuring the minimum consistent with efficient network development as required by para 113 of NPPF.

Thus, the public benefits of the proposal include supporting high quality communications in the city, and as such, it is considered that the benefits of the proposal would outweigh the less than substantial harm to the significance of the Parsonage Road Conservation Area and nearby Listed Buildings.

The proposed equipment is located on a rooftop that is predominantly 27.5 metres above ground level. There is also an upper roof level which sits 41 metres above ground level. Given the height above ground level and the building mass of the host property, it is not considered that the proposed equipment will appear overly prominent in the streetscene.

The proposal has not undergone a sequential test site selection as the policy encourages the upgrade of existing site, therefore minimising its impact upon the local area. The existing installation is to be upgraded to advance coverage in the area.

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.

Compliance with ICNIRP legislation - 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. Further advice on health issues was previously provided in PPG8 which has now been replaced with the National Planning Policy Framework and the weight that this can be given to applications for telecom equipment.

The proposal is therefore considered to be in accordance with saved policy DC17.1, DM1 and SP1 of the Core Strategy, NPPF and GPDO.

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 the proposal was considered to be in accordance with City Council policy and no 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. 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. Therefore, consent is hereby granted in accordance with the information accompanying application received on the 17.05.2021. The approval hereby provided shall ensure the installation be carried out only in accordance with the following submitted information and documents:

- ICNIRP Declaration
- Planning Statement

- Heritage Statement received by the City Council as Local Planning Authority on 24 June 2021.

- 11 page drawings pack issue E, drawings referenced: 100 rev A, 200 rev A, 201 rev D, 300 rev A, 301 rev C, 302 rev A, 303 rev B, 304 rev A, 305 rev B, 306 rev A and 307 rev B received by the City Council as Local Planning Authority on 28 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

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

Area Team Boundary - Name: CITY1