

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131352/TEL/2021

Date registered valid: 13 August 2021

Proposal: Prior Approval for the installation of 15 metre Monopole, wrapround cabinet at base and associated ancillary works.

Address: Queens Road , Manchester , M8 8UD

Ward(s): Cheetham Ward

Applicant: CK Hutchison Networks (UK) Ltd Great Brighams Mead, Vastern Road, Reading, RG1 8DJ

Agent (if any): Ryan Marshall WHP Telecoms Limited Troy Mills, Helena House , Troy Road, Leeds, LS18 5GN

Case officer: Janine Renshaw-Livesey
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Recommendation: Approve

Date of recommendation: 5 October 2021

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 26 August 2021 Expired: 16 September 2021

Neighbour notifications

Printed: 26 August 2021 Expired: 16 September 2021

Site notice

Posted: Expired:

Press advert

Published: 31 August 2021 Expired: 21 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: NO

This proposal is for a 15.0m SW (Street Works) monopole located on the adopted highways at Queens Road, Cheetham Hill, Manchester.

This application seeks consent for a prior approval for the installation of 15-metre-high telecommunication monopole with associated antennas, equipment cabinets and associated equipment located at the back of the pavement line facing Queens Road. The proposed site lies in front of the car park of the former Two Apples public house. The area is predominately residential in nature.

Prior Approval Legislation

This application is submitted under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 and in accordance with the electronic communications code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003.

The applicant is Hutchinson Telecom who are a licensed operator of an electronic communications network in accordance with the Communications Act 2003.

Hutchinson benefits from permitted development rights for this development as set out under the above order. H3G are required to apply to the local planning authority for a determination as

to whether the prior approval of the authority will be required to the siting and appearance of the development set out below;

Prior Approval is for the installation of 15 metre Monopole, wraparound cabinet at base and associated ancillary works.

The location has been identified as being necessary for H3G Ltd business development and meets its specific technical and operational requirements.

Planning History

There is no planning history for the site. However, the nearby telecommunications mast in situ was approved under planning reference number 073396/TEL/2004/N1 for Prior Approval Application for the erection of 11.8-metre-high slimline monopole containing a single mobile telecommunications antenna and an ancillary equipment cabinet.

Consultations & Notification Responses

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

The proposal was advertised in the local press as affecting the setting of a listed building and a site notice was erected close to the site and no representations were received.

The Highways Team were consulted and raised no objection to the proposal.

Issues

The proposal is compliant with the following Policies.

Section 10 of the National Planning Policy Framework

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.

114. 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.

115. 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 34 and a statement that self-certifies that, when operational, International Commission guidelines will be met.

116. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

Reason the Proposal is Consistent with Section 10 of the NPPF.

This proposal is considered to comply with the above policy as it makes a contribution under the requirement of the NPPF to provide quality and reliable communications infrastructure that is essential for economic growth and social well-being for the residents and users of Manchester and supporting the principle of this type of proposal should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G).

Furthermore, the NPPF states that the number of radio and electronic sites for such installations, should be kept to a minimum. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. The applicant has explored the possibility of mast sharing and considered locating the mast on top of existing buildings however there is a shortage of building of an adequate size to house the equipment and provided coverage cell details to demonstrate that there is short fall of coverage in this location. There are no existing masts within the vicinity that would allow mast sharing to be adequately provided without the need the install excessively large and visually obtrusive equipment to an existing mast. Therefore, in line with the requirement outlined with the NPPF, the equipment has been sympathetically designed to appear similar in structure and positioning with existing street light columns along this section of Queens Road. Furthermore, the applicant has confirmed that the proposal would not exceed International Commission guidelines on non-ionising radiation protection. Therefore, the proposal is considered to comply with the Nation Planning Policy Framework (NPPF) Section 10 Supporting high quality communications.

The proposed works at the site would not result in demonstrable harm to the character of the as well as being suitably distant from residential properties to ensure amenity loss is minimised, yet would provide the requisite coverage needed in the area, so according with the principles of the policy. The public benefits of a greatly enhanced communications network for businesses, residents and visitors alike in this location would qualify as a considerable positive that would contribute to the wider economic output of the area. It fully accords with the requirements of the NPPF.

The proposed works are not to the visual detriment of the surrounding area (being suitably distant from sensitive receptors). The proposal would not result in demonstrable harm to the character of the immediate or wider area; but are vitally necessary to ensure improved delivery of service. Capacity and coverage are the key drivers for this new 5G installation. The proposal would respect and continue to maintain the character of the area, would be suitably distant from potentially sensitive users, and so would accord with the principles of the Development Plan policies. It fully accords with the requirements of the NPPF.

Central Government attaches great importance to the design of the built environment and outlines this within Section 12 (para. 126) of the National Planning Policy Framework. It states: "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

In keeping with the National Planning Policy Framework (NPPF). guidelines of using: "high quality communications" (Section 10), the proposed design has been selected to minimise visual impact upon the street scene by integrating with the existing built environment.

The design of the proposed equipment is considered to be the least visually intrusive option available. Although it is accepted that there will be an intensification in the amount of equipment (an additional monopole and associated cabinets in the area) it is felt that such a minor increase would not detract from the character in which the proposal sits.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy")

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. Development in all parts of the City should make a positive contribution to neighbourhoods of choice including:-

- o Creating well designed places that enhance or create character,
- o Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.

Policy DM1 - Development Management

Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.
- o Development should have regard to the character of the surrounding area.
- o Accessibility: buildings and neighbourhoods fully accessible to disabled people.
- o Effects relating to landscape.

Reason the Proposal is Consistent with DM1 Development Management

This proposal seeks consent for the installation of the 15-metre mast that would be situated at the back of the pavement line in front of a car park of a large car park. The area is residential in nature however, the nearest residential properties are located side on to the proposal Falfield Drive, thus meaning views are limited. The proposed site is located off Queens Road surrounded by tall existing street furniture (streetlights) and co-located with an existing Orange monopole, which lies over 11 metres from the proposed monopole. The existing monopole

measures 11 metre in height and mimics street lighting Column positioned on the other side of the proposed telecoms mast. Therefore, it is considered that the proposal has an acceptable impact on the surrounding terms of its design, scale and appearance and has regard to the commercial character of the surroundings.

Policy DM 1 states that neighbourhoods should be fully accessible and the positioning if this proposal allows adequate access for able, disabled and ambient disabled people using the footpath.

For the reasons set out above the proposal complies with Policy DM1.

Policy SP1 - Spatial Principles

This Policy refers to the key spatial principles which will guide the strategic development of Manchester to 2027, together with Core Development Principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. All development should have regard to the character, issues and strategy for each regeneration area as described in the Strategic Regeneration Framework and the Manchester Strategic Plan.

The proposal is considered to make a positive contribution to the health and wellbeing of residents as the advancement of, high quality and reliable communications infrastructure is essential for economic growth and social well-being. High quality digital infrastructure, provides access to services from a range of provides which enable communities to function effectively. Furthermore, SP1 states that all development should protects all members of the community and enhance and protect the built environment. The site and appearance of the telecoms structure has been designed and positions to have the least visual impact whilst providing a coverage within the area and by omitting other more visually intrusive locations. Therefore, the proposal is considered to protect the environment in which it is located and is in accordance with policy SP1 of the core strategy for Manchester.

Unitary Development Plan

The Unitary Development Plan has been largely replaced by the Core Strategy for Manchester. However, several policies within the UDP have been saved by way of a Secretary of State Saving Direction and remain extant as material considerations in the planning process. The following policies are of relevance to the present application:

DC17.1 Telecommunications

DC17.1 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.

The proposal accords with Policy DC17 as consideration has been given to the location of the structure as the positioning has been identified as being necessary in meeting specific technical and operational requirements and would be positioned to minimise any impact upon residential amenity and the environment.

The application advertised as affecting the setting of a listed building known as the Bus and Transport dept and museum a Grade II Listed Building which lies west of the site.

The telecoms equipment is positioned when traveling in an easterly direction long Queens Road from the direction of the Grade II Listed Bus and Tram Depot. However, the telecoms equipment and the bus station cannot be seen in conjunction with each other and when traveling in a westerly direction due to the recessed position of the listed building in relation to the street scene cannot be seen in conjunction with the equipment. Therefore, as a result of the positioning of the mast it is considered that there would have no detrimental visual impact on the setting of the nearby listed building.

As such, it would not impact on the neighbouring listed building 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 and the coverage demands required, the siting and appearance of the proposal is considered satisfactory.

Principle and Conclusion.

A 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 in particular states that "Advanced, high quality communications infrastructure is essential for sustainable economic growth and social well-being".

Saved policy DC17.1 of the UDP looks to support telecommunication development, subject to minimising any impact upon the residential amenity and the environment.

Given the above, the proposal complies with the overarching policy framework which outlines a general presumption in favour of telecommunication development. The proposal has therefore been designed so not to have a material or further impact upon amenity or the local environment and is therefore, considered to be acceptable

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance the Local Planning Authority requested further information and drawings relating to the proposal and has attached appropriate conditions to the approval.

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 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:

Declaration of Conformity with ICNIRP Public Exposure Guidelines dated 13 August 2021

Site Specific Supplementary Information Document dated 13 August 2021.

Drawing set numbered ref:002 SITE LOCATION PLAN, 210 PROPOSED SITE PLAN, 260 PROPOSED ELEVATION, stamped received on the 13 August 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

Shahbarose Arabic Kitchen, 103 Queens Road, Manchester, M8 8UT
Two Apples Shisha Bar, 103 Queens Road, Manchester, M8 8UT
Store, 103 Queens Road, Manchester, M8 8UT
Flat 4, 5 Appleford Drive, Manchester, M8 8XA
5 Falfield Drive, Manchester, M8 8UD
10 Dove Walk, Manchester, M8 8UB
4 Dove Walk, Manchester, M8 8UB
2 Dove Walk, Manchester, M8 8UB
Flat 3, 5 Appleford Drive, Manchester, M8 8XA
Flat 2, 5 Appleford Drive, Manchester, M8 8XA
Flat 2, 3 Geneva Walk, Manchester, M8 8WB
Flat 1, 3 Geneva Walk, Manchester, M8 8WB
Bus Garage, Queens Road, Manchester, M8 8UT
Flat 1, 5 Appleford Drive, Manchester, M8 8XA
2 Falfield Drive, Manchester, M8 8UD
7 Falfield Drive, Manchester, M8 8UD
14 Bradburn Walk, Manchester, M8 8WG
12 Bradburn Walk, Manchester, M8 8WG
10 Bradburn Walk, Manchester, M8 8WG
8 Bradburn Walk, Manchester, M8 8WG
6 Bradburn Walk, Manchester, M8 8WG
4 Bradburn Walk, Manchester, M8 8WG
2 Bradburn Walk, Manchester, M8 8WG
5 Lanreath Walk, Manchester, M8 8WF
3 Lanreath Walk, Manchester, M8 8WF
1 Lanreath Walk, Manchester, M8 8WF
8 Corbridge Walk, Manchester, M8 8WD
6 Corbridge Walk, Manchester, M8 8WD
4 Corbridge Walk, Manchester, M8 8WD
2 Corbridge Walk, Manchester, M8 8WD
3 Geneva Walk, Manchester, M8 8WB
1 Geneva Walk, Manchester, M8 8WB
4 Falfield Drive, Manchester, M8 8UD
3 Falfield Drive, Manchester, M8 8UD
8 Dove Walk, Manchester, M8 8UB
6 Dove Walk, Manchester, M8 8UB

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 -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1