

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130655/JO/2021

Date registered valid: 7 June 2021

Proposal: Variation of condition number 2 (specified plans) from planning approval reference 123782/FO/2019 to allow the location of the approved 25m high telecoms mast in the location of the existing mast on site

Address: Umist Umtech Playing Fields , Mea Central, 60A Lytham Road, Manchester, M14 6PL

Ward(s): Rusholme Ward

Applicant: Mobile Broadband Network Limited Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Agent (if any): Mr Nick Allan Waldon Telecom Phoenix House, Pyrford Road, West Byfleet, KT14 6RA, Surrey

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23.07.2021

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Standard consultations:

Printed: 21 June 2021 Expired: 12 July 2021

Neighbour notifications

Printed: 21 June 2021 Expired: 12 July 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

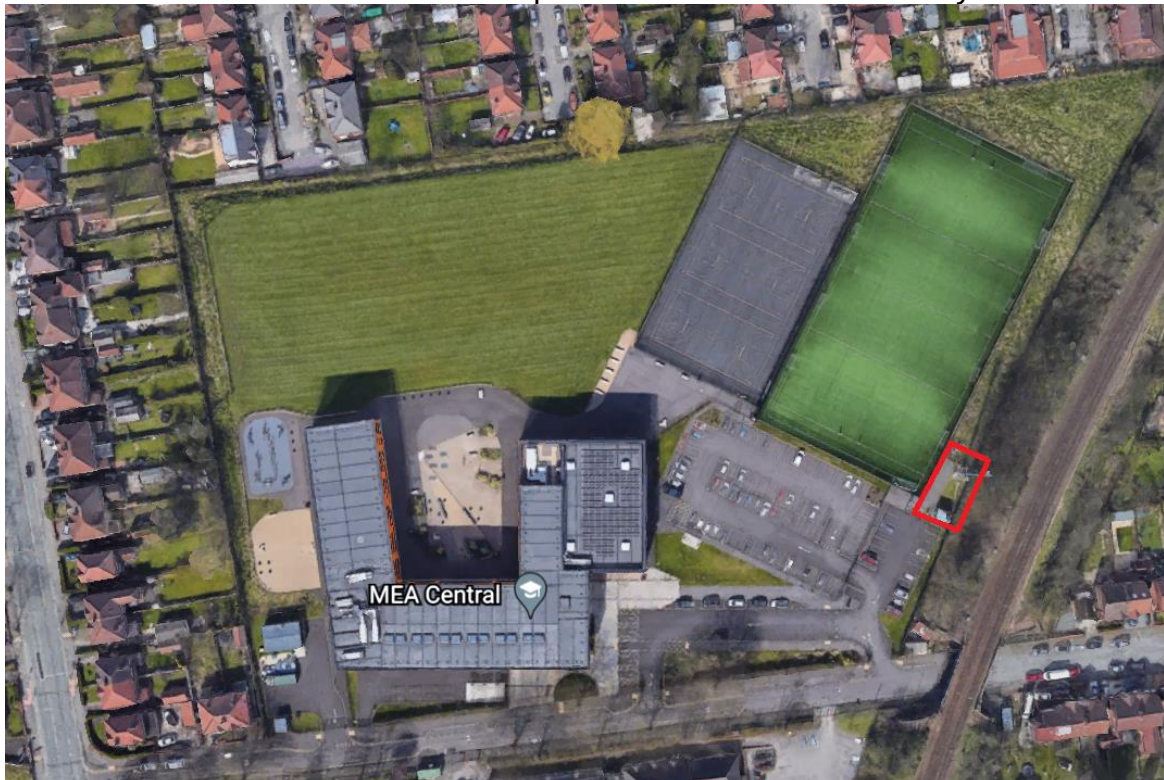
Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The site relates to an established telecommunications mast site located on what were sports playing fields prior to the development of the site to form a secondary school. The existing mast is located to the east of outdoor artificial turf pitches with a main line railway to the east.



Existing mast location edged red

Planning approval was previously granted under planning permission reference 123782/FO/2019 for the installation of a 25 metre high telecommunications mast including 6 no. antennas, 3 no. 600 millimetre dish antennas and 1 no. 300 millimetre dish antenna and associated apparatus and ancillary works following removal of existing telecommunications mast and associated apparatus. This approval would have resulted in the repositioning of the mast within the compound.

Following a site review the application wishes to amend the planning approval so the replacement mast is sited in the current position of the existing.

Policy

National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 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 2. Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

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):

- 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 a well-designed and safe built environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

11. Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 10. Supporting high quality communications

112. 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).

113. 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.

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 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.

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

Siting- The principle of telecommunications equipment and tall mast is well established on this existing site through the previous planning approvals. In this instance the accommodation of an enlarged mast of 25m in height was also established. The general principle of the proposed variation is considered acceptable.

The site is within the grounds of MEA Central Secondary School, formerly the Umist Umtech Playing Fields at 60a Lytham Road. The surrounding area is predominantly residential, with the two schools adjacent, a retail park to the South-West and a railway line running along the eastern boundary of the site. It is noted that a number of trees alongside the rail line have been cleared since the original planning approval. This would mean that the mast is more prominent in the street particularly from the east of the rail line on Lytham Road. However, in this instance as the site is an established site for a tall telecommunications mast it is not considered that this would warrant the withholding of permission of the proposals with a fallback of a similar mast in a slightly differing position to that now proposed.

The submitted scheme would involve the removal of the existing mast and associated equipment, and the installation of the new mast and equipment, on the site of the existing.



View from Lytham Road looking towards the existing mast to be replaced



View from the eastern side of the Lytham Road rail bridge looking north-west with cleared embankment centre

Design

The proposed cabinets would be located within the existing equipment cabinet. The mast would be slightly wider than the existing, and would be wider at the top due to the increased number of antennae and dishes. The increased height and level of equipment is required for the provision of 5G data services. The replacement antennas and associated apparatus, which are larger than those in situ, mean that a stronger mast is required. The new antennas are required to be located at a higher position, to reach all customers and ensure that radio signal clears all surrounding features, such as trees and buildings. A condition would be attached to ensure the mast and associated equipment is painted a light grey colour so as to blend in more with the skyline against which it would be viewed.

The design of the proposal is considered to be acceptable in this instance, because it has been designed to blend in with the existing streetscene, only represents a marginal increase in equipment, and is required for the provision of high level communications infrastructure.

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.

Other matters – Comments were received from Network Rail in respect of the need for the applicant to discuss the frequency of the equipment to avoid interference with this national infrastructure. An informative has been recommended and is to be appended to any decision.

The applicant has also confirmed Radio licensing and interference issues are the domain of Ofcom as regulators on behalf of the Government. As such, this is not something that should be addressed by the planning system or by Local Authorities. The (Mobile Networks Operators) MNOs have been granted a licence from Ofcom for the operation of telecommunications equipment. This Ofcom licence should be sufficient to satisfy any statutory obligations in respect of interference to other radio systems. An ICNIRP Certificate has been provided within the application. It is considered that on this basis a decision can be issued with an informative in this instance.

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 application has been determined in a positive and proactive manner. In this instance any issues that have arisen have been

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

1) The development must be begun not later than the expiration of three years beginning with the date of planning permission 123782/FO/2019 that date being 24th July 2019.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents and drawings:-

Drawing references : 215; 250; 265

ICNIRP Certificate

All received by the City Council as Local Planning Authority on the 7th June 2021

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy

3) The telecommunications mast and associated equipment affixed to the mast hereby approved shall be painted light grey, and shall be maintained to retain this colour for the life of the installation.

Reason - to reduce the visual impact of the proposed equipment on the skyline, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

Informatives

1) Much of the national railway network is controlled and operated by its own electronic communications systems, and as such, it is important that any proposals for new telecommunications equipment near to the railway do not interfere with the safe movement of trains. To ensure that Radio Frequency (RF) risks are addressed and mitigated, the Applicant must adhere to Network Rail processes for telecoms clearance (NR standard NR/L2/TEL/3006) before installing new or upgrading an existing radio transmitter within the distance proposed in the planning application, as a means of ensuring that the evidence required under the NPPF is obtained.

Network Rail Telecoms Clearance contact: TelecomsClearances@networkrail.co.uk

2) RAMS, crane and plant use and excavation and earthwork within 10m of the railway boundary on site must be agreed with Network Rail.

Developer form with details are to be issued to: AssetProtectionLNWNorth@networkrail.co.uk

Appendix 1 – List of consultees & neighbours notified

Network Rail
High Speed Two (HS2) Limited

60 Lytham Road, Manchester, M19 2AS
16 Skelton Grove, Manchester, M13 0UL
48 Lindsay Avenue, Manchester, M19 2AG
15 Tabley Grove, Manchester, M13 0TJ
16 Hardon Grove, Manchester, M13 0TX
53 Lindsay Avenue, Manchester, M19 2AR
Birchfields Primary School, Lytham Road, Manchester, M14 6PL
15 Skelton Grove, Manchester, M13 0UL
43 Lytham Road, Manchester, M19 2AT
15 Hardon Grove, Manchester, M13 0TX
16 Tabley Grove, Manchester, M13 0TJ

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: SOUTH