MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	130080/TEL/2021
Date registered valid:	16 April 2021
Proposal:	Prior Approval for the installation of 15 metre telecommunication monopole with wraparound cabinet at base and associated ancillary works
Address:	Lightbowne Road, Manchester, M40 0HJ
Ward(s):	Moston Ward
Applicant:	Hutchison UK Ltd Hutchison UK Ltd Star House, 20 Grenfell Road, Maidenhead, SL6 1EH
Agent (if any):	Ryan Marshall WHP Telecoms Limited Troy Mills, Helena House, Troy Road, Horsforth, Leeds, LS18 5GN
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	18 May 2021

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 13 May 2021

Standard consultations:
Printed: 26 April 2021 Expired: 17 May 2021

Neighbour notifications
Printed: 26 April 2021 Expired: 17 May 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 the public footway on the eastern side of Lightbowne Road, a short distance from the junction with Hugo Street. Immediately to the back of the footway is a large expanse of tree lined grass verge, spanning north to south along Lightbowne Road to present a boulevard style backdrop.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site lies adjacent to the eastern side of Lightbowne Road, within a predominantly residential area.

To the east, separated by a tree lined grass verge, is a two-storey sheltered housing development (Joseph Dean Court). Opposite the site to the west, on the other side of Lightbowne Road, is an estate of two storey, dwellinghouses. A short distance to the north lies Moston Children's centre.

Description of development

Prior approval is sought for the installation of a 15 metre high telecommunication monopole with wraparound cabinet at base and associated ancillary works, including underground services

The application follows the refusal of an earlier prior approval application for identical development (Ref: 127811/TEL/2020) and prior to this the refusal of an application for a 20 metre high monopole (Ref: 127070/TEL/2020).

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - Both the mast and associated antennas and cabinets appear to be placed at the back of the adopted footway. Sufficient carriageway clearance is being provided and sufficient footway width is being maintained.

It is accepted by highways that the proposals would not cause a distraction to passing vehicles and would not give rise to forward visibility issues.

Operatives undertaking servicing / maintenance thereafter will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

Detail is sought on proposed installation arrangements from a highways perspective.

Planning History

127811/TEL/2020

Prior Approval for the installation of 15 metre high telecommunication monopole with wraproundcabinet at base and associated ancillary works. *Refused 7 October 2020.*

127070/TEL/2020

Prior Approval for the installation of a 20m telecommunications monopole, 3 no. cabinets and associated ancillary works. Refused 22 July 2020.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("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.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 – 'Spatial Principles' refers to the key spatial principles which will guide the strategic development of Manchester 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. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 – 'Development Management' states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Saved policy DC17.1 states that the Council will normally approve applications for telecommunications development 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 area. Wherever possible, the Council will expect the potential of existing buildings and masts, including the sharing of such facilities to be explored.

National Planning Policy Framework (NPPF)

The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role

Section 10 refers to supporting high quality communications.

Paragraph 113 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'.

Section 12 relates to achieving well-designed places.

Paragraph 127 refers to the need to ensure that policies and decisions should ensure that new developments add to the overall quality of the area, are visually attractive, are sympathetic to local character and history, establish a strong sense of place and optimise the potential of a site.

Paragraph 130 goes on to state that:

'Permission should be refused for development of poor design that fail to take the opportunities available for improving the character and quality of an area ant the way it functions'.

Issues

Principle

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.

Siting and Appearance

The proposed site is situated adjacent to an attractive, tree lined grass verge, which provides an open and green backdrop to Lightbowne Road.

The proposed mast at 15 metres high would dwarf the adjoining properties and appear as a dominant, intrusive and conspicuous feature in the street-scene, made more strident due to the open character of this section of Lightbowne Road. In turn, this would be harmful to the visual amenity of the area and in particular, occupiers associated with the facing properties along Lightbowne Road.

It is believed that the proposed telecommunication installation would have a harmful impact to the visual appearance of the area. The adjoining tree lined grass verge 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 Lightbowne Road. The City Council is striving to improve the appearance of its main thoroughfares and the proposed installation would contradict this objective.

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 street-scene 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 and Safety

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.

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 – None required

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 street-scene and the adjoining open grassed and tree lined area, whilst also being visually intrusive to neighbouring residential properties along this part of Lightbowne 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).

Appendix 1 – List of consultees & neighbours notified

Highway Services

3 Walderton Avenue, Manchester, M40 9BU
9 Walderton Avenue, Manchester, M40 9BU
9 Hugo Street, Manchester, M40 5NN
11 Hugo Street, Manchester, M40 5NN
30 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
29 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
28 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
27 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
26 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
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5 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
4 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
3 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
2 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
1 Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
Wardens House, Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5WX
Joseph Dean Court, 2 Whitehill Drive, Manchester, M40 5NU
15 Walderton Avenue, Manchester, M40 9BU
1 Walderton Avenue, Manchester, M40 9BU
7 Walderton Avenue, Manchester, M40 9BU
5 Walderton Avenue, Manchester, M40 9BU
19 Walderton Avenue, Manchester, M40 9BU
17 Walderton Avenue, Manchester, M40 9BU
13 Walderton Avenue, Manchester, M40 9BU
11 Walderton Avenue, Manchester, M40 9BU

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 -
Area Team Boundary - Name: NORTH1