

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130255/TEL/2021

Date registered valid: 29 April 2021

Proposal: Prior approval for the installation of a 20m high monopole and associated equipment cabinets

Address: Footpath To The North And East Of The Junction Of Upper Lloyd Street And Claremont Road, Manchester, M14 4NW

Ward(s): Moss Side Ward

Applicant: CTIL and Telefonica UK Limited Hive 2, 1530 Arlington Business Park, Berkshire, RG7 4SA

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

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

Recommendation: Approve

Date of recommendation: 17.06.2021

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 27th May 2021

Standard consultations:

Printed: 19 May 2021 Expired: 9 June 2021

Neighbour notifications

Printed: 7 May 2021 Expired: 28 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site relates to a pavement located to The North And East Of The Junction Of Upper Lloyd Street And Claremont Road. To the east beyond boundary fences are the playgrounds associated with Claremont Primary School and to the east are residential properties.

Description of development

Prior approval for the installation of a 20m high monopole and associated equipment cabinets.



View towards the proposed siting of the Mast

Consultations & Notification Responses

Local residents and properties were notified of the proposals a response was received from the Head teacher and chair of governors for Claremont Primary School, the comments made were: The suggested siting is on the pavement of an extremely busy road which is a main thoroughfare through Manchester. There are very high levels of pedestrian traffic at peak drop of and pick up times at the suggested siting on this pavement. There are many families with large numbers of young children who wait at the crossing so additional cabinets would limit the space and therefore possibly impede safe crossing and the junction and walking on the pavement.

Appearance

In the table on the Site Options document dated 9th April 2021 Page 3 - Alternative site options considered and rejected - Outside Green space Heald Place Moss Side Manchester M14 4AY "It is the applicant's opinion that a site at this location would have a greater visual impact on the residential area than the subject would have".

We entirely disagree. At Claremont Primary we work hard to provide an environment which is conducive to learning and as "green" a space as is possible in such an urban area. We are part of a two-year Nature friendly project with the DFE, the Wildlife trust, Young Minds and Natural England trying to develop outdoor learning and space for the children and wider community. The 20ft mast would be visible from everywhere on the school grounds and would have a

significant visual impact on the residential area and working and learning environment of the immediate and local community.

Following a playground survey on 17th April 2020, investigating significant drainage issues carried out by Manchester City Council, we are expecting to be eligible for corporate funding to address these issues. This will be a large project entailing a possible road closure. The suggested area for the siting of the mast is directly by the fence on the playground which is the area of concern. We oppose the suggested siting of the mast for the above reasons.

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

The applicant is advised that any requirements for licensing, hoarding / scaffolding, skips or temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk. An appropriately worded condition is proposed to inform the applicant.

Policies

National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in 2019. 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

Principle - The Council supports the principle of improving telecommunications coverage within the City, however, in doing so it seeks to ensure that the amenity of residents 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 - Given the context and the nature of the surrounding environment, the siting and appearance of the proposal is considered satisfactory and not give rise to unacceptable impacts that would warrant refusal of the proposals.

The introduction of a tall structure in this area is not considered to give rise to significant visual impacts in the sites context set alongside a highway and separated by the road to the nearest residential properties. Whilst the mast would be in a visible location with views of it, the existing highways infrastructure together with trees and fencing in the area will further assist in the mast being accommodated in the street scene without undue visual harm.



View west towards application site from Claremont Road



View north on Lloyd Street towards the proposed mast siting



View south on Lloyd Street



View east from Lloyd Street/Claremont Road junction



View west from Claremont Road towards junction with Lloyd Street

The applicant has clarified that adequate distances on the pavement would be retained to allow pedestrians and footpath users space to manoeuvre around the structure safely. Highway Services have confirmed that the proposals are acceptable from a highways safety point of view.

The appearance of the mast and finish in light grey to match other highways structures is considered acceptable and will assist assimilate the structure into the streetscene. The appearance of the mast is therefore considered to be acceptable.

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

An objection has been received from the adjacent school to the siting of the mast and the impacts this would have on the school. It is acknowledged that the structure would be a visible addition to the area particularly from the outdoor play areas, however, the applicant has sited the mast in a location that would not give rise to unacceptable impacts on residential amenity and is sited approximately 100 metres from the main school buildings. In this instance it is considered that the siting is acceptable in this location.

The mast is to be sited within the public footpath and not within the school grounds, there would be a requirement for the applicant to obtain the appropriate licenses to undertake the works and it is not considered that the mast would contribute or worsen drainage issues within the school site.

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 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 29th April 2021:

- Application for prior notification forms;
- Drawings: 201 Rev A Proposed Site Plan; 301 Rev A Proposed Site Elevation;
- Supplementary Information
- ICNIRP Certificate

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

Environmental Health
Highway Services

1 Lloyd Street South, Manchester, M14 4EU
282 Claremont Road, Manchester, M14 4EP
Rear Of, 280 Claremont Road, Manchester, M14 4NW
272A Claremont Road, Manchester, M14 4TS
Flat Above, 284 Claremont Road, Manchester, M14 4EP
286A Claremont Road, Manchester, M14 4EP
308 Claremont Road, Manchester, M14 4EP
First Floor, 266 Claremont Road, Manchester, M14 4TS
292 - 294 Claremont Road, Manchester, M14 4EP
Flat Above, 304 Claremont Road, Manchester, M14 4EP
274A Claremont Road, Manchester, M14 4TS
270A Claremont Road, Manchester, M14 4TS
Flat Above, 298 - 300 Claremont Road, Manchester, M14 4EP
298 - 300 Claremont Road, Manchester, M14 4EP
276A Claremont Road, Manchester, M14 4TS
310A Claremont Road, Manchester, M14 4EP
Claremont Primary School, Claremont Road, Manchester, M14 7NA
278A Claremont Road, Manchester, M14 4TS
278 Claremont Road, Manchester, M14 4TS
Claremont Sure Start, Claremont Road, Manchester, M14 7NA
296A Claremont Road, Manchester, M14 4EP
272 Claremont Road, Manchester, M14 4TS
264 Claremont Road, Manchester, M14 4TS
203 Claremont Road, Manchester, M14 4JF
178 Upper Lloyd Street, Manchester, M14 4JE
172 Upper Lloyd Street, Manchester, M14 4JE
166 Upper Lloyd Street, Manchester, M14 4JE
160 Upper Lloyd Street, Manchester, M14 4JE
296 Claremont Road, Manchester, M14 4EP
284 Claremont Road, Manchester, M14 4EP
306 Claremont Road, Manchester, M14 4EP
274 Claremont Road, Manchester, M14 4TS
Ground Floor, 274 Claremont Road, Manchester, M14 4TS
276 Claremont Road, Manchester, M14 4TS
270 Claremont Road, Manchester, M14 4TS
266 Claremont Road, Manchester, M14 4TS
280 Claremont Road, Manchester, M14 4EP
268 Claremont Road, Manchester, M14 4TS
176 Upper Lloyd Street, Manchester, M14 4JE
201 Claremont Road, Manchester, M14 4JF
199 Claremont Road, Manchester, M14 4JF
180 Upper Lloyd Street, Manchester, M14 4JE
174 Upper Lloyd Street, Manchester, M14 4JE
170 Upper Lloyd Street, Manchester, M14 4JE
168 Upper Lloyd Street, Manchester, M14 4JE
164 Upper Lloyd Street, Manchester, M14 4JE
162 Upper Lloyd Street, Manchester, M14 4JE
205 Claremont Road, Manchester, M14 4JF
158 Upper Lloyd Street, Manchester, M14 4JE

156 Upper Lloyd Street, Manchester, M14 4JE
286 Claremont Road, Manchester, M14 4EP
304 Claremont Road, Manchester, M14 4EP
290 Claremont Road, Manchester, M14 4EP
288 Claremont Road, Manchester, M14 4EP

Appendix 2 – Planning constraints

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