

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129842/TEL/2021
Date registered valid: 25 March 2021
Proposal: Proposed 15m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.
Address: Store Street, Piccadilly, Manchester, M1 2NA
Ward(s): Piccadilly Ward

Applicant: Hutchison UK Ltd Star House, 20 Grenfell Road, Maidenhead, SL6 1EH
Agent (if any): Eve Wyke WHP Telecoms Limited Troy Mills, Helena House , Troy Road, Horsforth, Leeds, LS18 5GN
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk
Recommendation: Refused

Date of recommendation: 12 May 2021

Application details

Type of application: Telecommunication Application
Development type: Notifications
Date of site visit: 9 April 2021

Standard consultations:
Printed: 8 April 2021 Expired: 29 April 2021

Neighbour notifications
Printed: 8 April 2021 Expired: 29 April 2021

Site notice
Posted: 9 April 2021 Expired: 30 April 2021

Press advert
Published: 13 April 2021 Expired: 4 May 2021

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 proposal site is located within Manchester City Centre, within the Piccadilly Ward. The site can be characterised as an historic industrial part of the City which had a canal network at its centre as a key element in its development.

The site now lies in an area which is undergoing significant change and regeneration. The most recent element being the construction of the high-rise Oxygen scheme (Ref. 122258/JO/2018) to the North of the site. Consent was also granted in 2020 (application ref no 126608/FO/2020) for the erection of part 4, part 11 storey residential (Class C3) development at land adjacent to the Aqueduct on Store Street. The character of the wider area is changing therefore from its original industrial character to a modern residential part of the city centre.

The Ashton canal passes nearby to the south of the site at an elevated level and crosses Store Street by way of an aqueduct, which is a grade II* listed structure. The Ashton Canal has been a focus for regeneration over recent years and is characterised by residential apartments of various ages, styles and scale.

The proposal site specifically is located on a public footway. The immediate area around the site contains street furniture, including a waste bin and lamppost. The site is overlooked by residential properties on Ducie Street and Jutland Street.

Description of development

Prior approval is sought for a telecommunications installation of monopole with antennae and wraparound equipment cabinet base (maximum height 15m) including associated equipment cabinets and ancillary works.

It is noted that the applicants have stated that this proposal is a resubmission of the refused Prior Approval application (ref no 126785/TEL/2020) which has relocated the installation to seek to robustly address the reasons for refusal and this has included a reduction in the height of the pole from 20m to 15m in order to improve its appearance/

Consultations & Notification Responses

Publicity – Occupiers of adjacent properties were notified about the application and a site notice and local press advert were produced. No representations have been received.

HS2 – have confirmed that the red line boundary of the proposal falls wholly within land safeguarded for Phase 2b of HS2 and as a consequence have pointed to a number of complexities as a result of proposed HS2 works in this location. The proposed location of the telecoms unit would directly clash with HS2's utility construction zone, which is within very close proximity to a construction compound and in area requiring future highway modifications.

They anticipate that a number of utilities diversions and modifications will be required in the location of the proposed monopole, therefore there is a high probability that the monopole would be required to be relocated. Therefore, they recommend that the applicant considers an alternative location that is outside of safeguarded land, in order to avoid potential future disruption and abortive costs. They also state that it would also be helpful to understand if alternative locations have been considered by the applicant and the rationale for this site.

Environmental Health – Have no comments/objections to make

Highways Services – Have no objections

Historic England - On the basis of the information available to date, we do not wish to offer any comments.

Canal and Rivers Trust - The Trust has no comment to make on the proposal.

Greater Manchester Police (Design for Security Unit) -Whilst telecommunication masts are not subject to high levels of natural surveillance their position close the main road will encourage passive surveillance, from the adjacent office blocks, passing cars and pedestrians, during the day and evening.

It is recommended that the cabinets are of robust construction and that lighting is provided to illuminate the location during the night as existing street lighting is likely to be insufficient and that CCTV is included to monitor or record any criminal behaviour.

In summary, the application is supported subject to further consideration of the above matters.

Greater Manchester Fire and Rescue Service – No comments received.

Greater Manchester Ecology unit – No comments received.

Greater Manchester Pedestrian Society - No representations received.

Ward Councillors - No representations received.

Issues

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.

Policy EN3 - 'Heritage' states that New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy CC9 - 'Design and Heritage' states that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

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 'Telecommunications' 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.

Saved Policy DC19 - 'Listed Buildings' states that the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The Council will also seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features.

Saved Policy DC26 – 'Development and Noise' states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both; the effect of new development proposals which are likely to be generators of noise; and the implications of new development being exposed to existing noise sources which are effectively outside planning control.

The revised National Planning Policy Framework (NPPF) (2019)

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 and the way it functions'.

The principal issue relates to the impact upon amenity and heritage concerns, as consequence of the siting, character and appearance of the proposed installation.

Other relevant Policy Documents

HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018) – The transport node plays a critical role in the city's economic regeneration. Significant investment is focused around Piccadilly Station and an SRF in 2018 aims to create a major new district based around a world class transport hub. This would ensure that the City can capitalise on the opportunities presented by HS2 and the expansion of the Station. The overarching objectives are to improve the attractiveness of the area to investment; improve physical connections and permeability; and provide destinations for social and cultural activity.

The SRF identifies increasing density as crucial to sustainable growth and long term economic competitiveness. The proposal would support and complement the next phase of growth in Manchester, deliver strategic regeneration objectives and improve connectivity between the City Centre and nearby communities.

Siting, Character and Appearance and impact on Regeneration

The proposal relates to a monopole style communication mast. The proposed 15m (above ground level) monopole and associated equipment cabinets would be located at the back of the footpath.

The proposed monopole together with the associated ground based equipment cabinets, would visually clutter the adopted highway. The overall height of the monopole at 15 metres, would dominate the existing street furniture when viewed along this stretch of Store Street. The existing street lighting columns are of a bespoke and relatively slender and visually pleasing design which adds positively add character to the street scene in this area. The proposed mast at 15 metres high would create a dominant feature in the street-scene be significantly taller than

any other structure in the locality, forming an incongruous and particularly prominent feature. It is noted that in this area street furniture is generally kept to a minimum.

The area is undergoing significant investment with the development of surrounding development plots (i.e. Oxygen (Ref. 122258/JO/2018) and approved development at Land south of Store Street as detailed above (Ref. 126608/FO/2020). The HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018) has an overarching objective to improve the attractiveness of the area to investment and improve physical connections and permeability. Officers are also involved in pre-application discussions in relation to several potential residential developments close to the proposed site. Within this context it is considered that this scheme is unacceptable in this instance as the proposal appears to create a significant and harmful in terms of visual amenity and appearance and would have a negative impact upon regeneration efforts and improvements to the environment taking place within the area, and as a consequence would have a detrimental impact on the overall image of the City Centre.

The proposed monopole, given its siting, dominating height and industrial design would be considered to cause a high level of harm to the setting of the Grade II* Store Street Aqueduct when viewed from most positions to the south east of the proposed site, when moving away from Piccadilly Train Station in a north westerly direction. Therefore, the proposal is not considered to preserve or enhance the heritage asset identified and has been sited, and designed in a manner which negatively affects its setting and multiple views of this significant heritage asset.

While the applicant indicated they would be willing to work with the Local Planning Authority to address these issues, the applicant provided no robust evidence base as to what other nearby sites had been considered and discounted. Without this evidence it would be difficult for the Local Planning Authority to agree that the proposals have been designed to minimise the impact on visual amenity and other relevant issues identified within this report. This is detailed further in the below report.

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, heritage and the overall impression of the area in regeneration terms as a consequence of the proposed siting, character and appearance of the installation would be considered to outweigh these factors in this case.

For these reasons, the proposed installation would be contrary to guidance within the National Planning Policy Framework, policies DM1 (Development Management), EN3 (Heritage), CC9 (Design and Heritage) and SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester and saved policies E3.3 (Environmental Improvement and Protection), DC17 (Telecommunications) and DC19 (Listed Buildings) 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 for this specific type of development. It is the Government's 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.

An ICNIRP Certificate referencing the March 2020 guidance has been submitted with the application.

HS2 Comments

In making their comments they have noted that the applicants have not demonstrated that they have considered alternative locations. On balance in this context given that the proposed location of the telecoms unit would directly clash with HS2's utility construction zone, which is within very close proximity to a construction compound and in area requiring future highway modifications. It is considered on balance with the other issues as detailed above that this is not the most suitable location for this equipment in terms of avoiding potential future disruption and abortive costs.

Alternative Site Options

The Framework advises that a high-quality communications infrastructure is essential for sustainable economic growth, and that the expansion of electronic communications networks, including telecommunications should be supported. However, the Framework also advises that the aim should be to keep the number of communications masts and the sites for such installations to the minimum and consistent with the efficient operation of the network and that equipment should be sympathetically designed.

The Local Planning Authority are mindful that there is a limit to how far an operator can reasonably be expected to go to demonstrate no other less intrusive or harmful sites are available. Nonetheless, on the basis of the information submitted, the Local Planning Authority cannot be assured that all alternative, potentially less harmful options have reasonably been explored and discounted and therefore that no more suitable sites are available. The applicant was requested to provide more detailed evidence of the sites considered and reasons for discounting such sites, however failed to provide such information.

Conclusion

Taking all of the above into account, the City Council is not satisfied that the proposed development has been sited and designed to minimise its impact upon amenity and heritage within the area.

The proposed telecommunications monopole, by reason of its height, siting, design and appearance, would form an unacceptable, incongruous and dominant feature within the streetscene that would be particularly prominent from a range of short and long range views and from surrounding roads. The monopole, and its associated ground based cabinets, would lead to visual clutter which would be to the detriment of visual amenity within the area and the overall impression of the area as one where significant investment is taking place to bring forward the areas wider regeneration as part of the HS2 Manchester Piccadilly Strategic Regeneration (SRF) and Masterplan (2018) in line with its overarching objective to improve the attractiveness of the area to investment and improve physical connections and permeability. The proposal would have a negative effect upon the external appearance, and regeneration efforts and improvements, to the environment taking place within the area, and as a consequence would have a detrimental impact on the overall quality of the City Centre.

The proposed telecommunications monopole, by reason of its height, siting, design and appearance, would adversely affect the setting of nearby heritage assets comprising the Grade II* Store Street Aqueduct. The monopole would be of an overtly industrial design and inelegant in its appearance.

The proposed telecommunications monopole, by reason of its siting, together with the associated ground based equipment cabinets, would clutter the adopted highway. This would

be compounded due to the location of the proposed monopole and cabinets relative to an existing bin and lamppost in the immediate area.

For these reasons, the proposed installation would be contrary to guidance within the National Planning Policy Framework, Policies DM1 (Development Management), EN3 (Heritage), CC9 (Design and Heritage) and SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester and saved policies E3.3 (Environmental Improvement and Protection), DC17 (Telecommunications) and DC19 (Listed Buildings) of the Unitary Development Plan for Manchester.

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: Refuse

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

1) The proposed telecommunications monopole, by reason of its height, siting, design and appearance, would form an unacceptable and dominant feature within the streetscene that would be particularly prominent from a range of short and long range views and from surrounding roads. The monopole, and its associated ground based cabinets, would lead to visual clutter which would be to the detriment of visual amenity within the area. The proposal would have a negative effect upon regeneration efforts and improvements to the environment taking place within the area, and as a consequence would have a detrimental impact on the overall quality of the City Centre. Opportunities to minimise these identified impacts have not been robustly explored or evidenced to a satisfactory degree. For these reasons, the proposed installation would be contrary to guidance within the revised National Planning Policy Framework, policies DM1 (Development Management) and SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester and saved policies E3.3 (Environmental Improvement and Protection) and DC17 (Telecommunications) of the Unitary Development Plan for Manchester.

2) Reason 2 - The proposed telecommunications monopole, by reason of its height, siting, design and appearance, would adversely affect the setting of nearby heritage asset, specifically the Grade II* Store Street Aqueduct. The monopole would be of an overtly industrial design and inelegant in its appearance. For these reasons, the proposed installation would be contrary to

guidance within the revised National Planning Policy Framework, policies DM1 (Development Management), EN3 (Heritage), CC9 (Design and Heritage) and SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester and saved policies E3.3 (Environmental Improvement and Protection), DC17.1 (Telecommunications) and DC19.1 (Listed Buildings) of the Unitary Development Plan for Manchester.

3) The proposed development falls wholly within the land safeguarded for Phase 2b of HS2. HS2 Ltd have stated that the proposed development directly clashes with HS2's utility construction zone and is in area requiring future highway modifications. Further, HS2 Ltd have indicated that a number of utilities diversions and modifications would be required in this immediate location. As such, there is a high probability that the proposed development would require relocation when HS2 Phase 2b is delivered. The proposed development would therefore be likely to negatively impact the ability to build or operate HS2. The Applicant has not clearly or sufficiently evidenced if alternative locations have been considered outside of the safeguarded area and why such sites are not viable in comparison to the rationale for the proposed development. On this basis it is considered that the proposed development would be contrary to Government guidance contained in the National Planning Policy Framework (NPPF) (Feb 2019), specifically sections 9 (Promoting sustainable transport) and 10 (Supporting high quality communications), as it would directly conflict with the anticipated delivery of HS2 Phase 2b, which is a nationally important transport infrastructure project.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Strategic Development Team
City Centre Renegeration
Canal & River Trust
Greater Manchester Police
Historic England (North West)
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society
High Speed Two (HS2) Limited

Europcar, 5 Boad Street, Manchester, M1 2DW
28 Store Street, Manchester, M1 2WD
41 Store Street, Manchester, M1 2WA
Flat 9, 4 Wharf Close, Manchester, M1 2WE
Flat 6, 4 Wharf Close, Manchester, M1 2WE
Flat 3, 4 Wharf Close, Manchester, M1 2WE
Flat 4, 2 Wharf Close, Manchester, M1 2WE
Flat 2, 2 Wharf Close, Manchester, M1 2WE
Flat 8, 1 Wharf Close, Manchester, M1 2WE
43 Store Street, Manchester, M1 2WA
Flat 8, 4 Wharf Close, Manchester, M1 2WE
Flat 7, 4 Wharf Close, Manchester, M1 2WE
Flat 5, 4 Wharf Close, Manchester, M1 2WE
Flat 4, 4 Wharf Close, Manchester, M1 2WE
Flat 2, 4 Wharf Close, Manchester, M1 2WE
Flat 1, 4 Wharf Close, Manchester, M1 2WE
Flat 3, 2 Wharf Close, Manchester, M1 2WE
Flat 1, 2 Wharf Close, Manchester, M1 2WE
Flat 9, 1 Wharf Close, Manchester, M1 2WE
Flat 7, 1 Wharf Close, Manchester, M1 2WE

Flat 6, 1 Wharf Close, Manchester, M1 2WE
Flat 5, 1 Wharf Close, Manchester, M1 2WE
Flat 4, 1 Wharf Close, Manchester, M1 2WE
Flat 3, 1 Wharf Close, Manchester, M1 2WE
Flat 2, 1 Wharf Close, Manchester, M1 2WE
Flat 1, 1 Wharf Close, Manchester, M1 2WE

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
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CITY2