

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127366/TEL/2020

Date registered valid: 6 July 2020

Proposal: Prior Approval for the installation of a 20 metre high telecommunication monopole with wrap around cabin built round the base and 3no ground based equipment cabinets and ancillary development

Address: Grass Verge to Footway In Front Of Petrol Filling Station, Victoria Avenue, Manchester

Ward(s): Higher Blackley Ward

Applicant: Victoria McSherry, Culzean House, 36 Renfield Street, Glasgow, G2 1LU

Agent (if any):

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: s.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 August 2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 15 July 2020

Standard consultations:

Printed: 9 July 2020 Expired: 30 July 2020

Neighbour notifications

Printed: 13 July 2020 Expired: 3 August 2020

Site notice

Posted: 15 July 2020 Expired: 5 August 2020

Press advert

Published: 14 July 2020 Expired: 4 August 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a grass verge along the southern side of Victoria Avenue, adjacent to petrol filling station and workshops. The verge presently accommodates a slim line 17.5 metre high mast and associated cabinet approximately 3.4 metres to the west of the proposed installation.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of the adjacent petrol filling station and some local shops a short distance to the west, the wider area is predominantly residential in character – mainly comprising two storey, terraced and semi-detached houses. Properties on the opposite side of Victoria Avenue are screened from view by a substantial landscaped buffer.

Description of development

Prior Approval for the installation of a 20 metre high telecommunication monopole with wrap around cabin built round the base and 3no ground based equipment cabinets and ancillary development.

The proposed height at 20m is considered essential in order to provide equivalent replacement coverage to the target coverage area. The proposed mast will sit alongside an existing mast installation which is to be removed a future date.

The upgrade of the existing mast was considered, but is not an upgradable structure in its current form and cannot accommodate further antennas. The existing mast needs to be retained on site in the short terms for coverage and capacity reasons.

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. However, it is unclear how large the equipment is and how much footway will be used. Highways would be accepting in-principle of these proposals subject to the final positioning of apparatus being sufficient to maintain the minimum desirable clearance of 2m to any adjacent street furniture and the edge of carriageway.

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.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC17.1 of the UDP;
- Policies DM1 and SP1 of the Core Strategy;
- Sections 10 and 12 of the National Planning Policy Framework (NPPF).

Issues

Principle

The Town and Country Planning (General Permitted Development) (England) Order 2015 confers 'permitted development rights' for certain types of telecommunications development. This now includes the erection of telecommunications masts which do not exceed a height of 20m above ground level. These permitted development rights remove the need to submit a full planning application, but rather require what is termed a 'prior notification' application to be made.

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.

Given Government planning guidance, a principal 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 at Section 10 of the NPPF states that "Advanced, high quality communications infrastructure is essential for sustainable economic growth and social well-being".

Saved policy DC17.1 of the UDP similarly looks to support telecommunication development, subject to minimising any impact upon siting and appearance.

In this case, the siting and appearance of the proposed installation is considered satisfactory. The public benefits of a greatly enhanced communications network for businesses, residents and visitors alike in this location would also qualify as a considerable positive that would contribute to the wider economic output of the area and social well-being.

It is considered that the proposal complies with the overarching policy framework which outlines a general presumption in favour of telecommunication development. It is necessary however to further assess the appropriateness of the siting and appearance of the proposed equipment, as outlined below.

Siting and Appearance

In keeping with the National Planning Policy Framework which advocates the use of high quality communications infrastructure, the proposed design has been selected to minimise visual impact upon the street scene by integrating with the existing street furniture, including the vertical lines of nearby street lighting columns and trees.

The introduction of a tall structure will always to some degree be noticeable, particularly to passers by and nearby occupiers. This does not necessarily mean any harm will result or that there will be an overwhelming, undue impact.

In this instance, it is considered that the applicant has minimised the impact by practicable and appropriate siting and design, balancing the siting and appearance of the installation against technical requirements and material planning policy and guidance which advocates a presumption in favour of such equipment.

The proposal has undergone a sequential site selection, with the current proposal representing the best fit when balancing siting against coverage requirements. The proposed installation will facilitate advanced coverage in the area to aid the social well-being and business needs of the occupants of the nearby properties and local businesses.

In terms of appearance, the design reflects the vertical emphasis provided by nearby street lighting columns, street trees and an existing mast installation.

Whilst it is acknowledged that there are residential properties in the immediate vicinity, notably those a short distance to the south east, it is felt that the given the immediate commercial context, and the busy, open nature of the Victoria Avenue coupled with the distance and orientation of the nearest residential properties, as well as screening provided by soft landscaping, the distance of separation would not undermine their visual amenity

Victoria Avenue is one of the main arterial roads that run through the area, in which the monopole would be read in the context of linear street furniture, including lighting columns and the neighbouring mast. On this basis, it is not believed that the proposed installation would be to over or intrusive to justify refusing consent.

The proposed monopole will have a galvanised steel finish to reflect other nearby street furniture typical of an urban streetscape.

The proposed equipment cabinets are less than 2.5m³ each and will be located immediately alongside the mast. It should be noted that if seen alone as standalone developments, they would constitute permitted development.

In light of the above, it is felt that given the context of the area and the design of the proposed installation, the siting and appearance of the proposal is considered satisfactory.

Access

In comparison to the existing installation, the proposed mast is to be sited on an existing grass verge to prevent it causing an obstruction to the highway or to impede pedestrian movement. The existing footway will be unaffected, therefore provide a satisfactory width of pavement.

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 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

None Required.

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

1) The City Council is satisfied with the siting and appearance of the proposed telecommunication installation, 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). The consent hereby provided shall ensure the installation be carried out only in accordance with drawings numbered 1214746_MAN274_15534_M0715_M001/A (drawings 1-4) received by the City Council as Local Planning Authority on 6 July 2020.

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

373A Victoria Avenue, Blackley, Manchester, M9 8WQ
12 Northdale Road, Manchester, M9 8WG
5 Ryther Grove, Manchester, M9 0NT
3 Ryther Grove, Manchester, M9 0NT
1 Ryther Grove, Manchester, M9 0NT
384 Victoria Avenue, Blackley, Manchester, M9 0QH
Top Flat, 285 Victoria Avenue, Blackley, Manchester, M9 0NG
327 Victoria Avenue, Blackley, Manchester, M9 8WQ
53 Heaton Park Road, Manchester, M9 0GH
Top Flat, 291 Victoria Avenue, Blackley, Manchester, M9 0NG
293B Victoria Avenue, Blackley, Manchester, M9 0NG
3A Tweedle Hill Road, Manchester, M9 8LA
2 Longhurst Road, Manchester, M9 8NS
285 Victoria Avenue, Blackley, Manchester, M9 0NG
22 Northdale Road, Manchester, M9 8WG
5 Northdale Road, Manchester, M9 8WG
16 Weardale Road, Manchester, M9 8WR
6 Acre Top Road, Manchester, M9 0WP
55 Heaton Park Road, Manchester, M9 0GH
25 Acre Top Road, Manchester, M9 0WP
5 Acre Top Road, Manchester, M9 0WP
1 Acre Top Road, Manchester, M9 0WP
20 Weardale Road, Manchester, M9 8WR
335 Victoria Avenue, Blackley, Manchester, M9 8WQ
371 Victoria Avenue, Blackley, Manchester, M9 8WQ
370 Victoria Avenue, Blackley, Manchester, M9 0NS
344 Victoria Avenue, Blackley, Manchester, M9 0NS
315 Victoria Avenue, Blackley, Manchester, M9 8WQ
283 Victoria Avenue, Blackley, Manchester, M9 0NG
8 Weardale Road, Manchester, M9 8WR
8 Northdale Road, Manchester, M9 8WG
49 Acre Top Road, Manchester, M9 0WP
39 Acre Top Road, Manchester, M9 0WP
29 Acre Top Road, Manchester, M9 0WP
10 Acre Top Road, Manchester, M9 0WP
26 Northdale Road, Manchester, M9 8WG
20 Northdale Road, Manchester, M9 8WG
355 Victoria Avenue, Blackley, Manchester, M9 3WQ
Auto Repairs, 355 Victoria Avenue, Blackley, Manchester, M9 8WQ
372 Victoria Avenue, Blackley, Manchester, M9 0NS
342 Victoria Avenue, Blackley, Manchester, M9 0NS
340 Victoria Avenue, Blackley, Manchester, M9 0NS
337 Victoria Avenue, Blackley, Manchester, M9 8WQ
329 Victoria Avenue, Blackley, Manchester, M9 8WQ
10 Northdale Road, Manchester, M9 8WG
9 Acre Top Road, Manchester, M9 0WP
45 Acre Top Road, Manchester, M9 0WP
37 Acre Top Road, Manchester, M9 0WP
21 Acre Top Road, Manchester, M9 0WP
15 Acre Top Road, Manchester, M9 0WP

13 Acre Top Road, Manchester, M9 0WP
2 Weardale Road, Manchester, M9 8WR
4 Northdale Road, Manchester, M9 8WG
3 Northdale Road, Manchester, M9 8WG
24 Northdale Road, Manchester, M9 8WG
323 Victoria Avenue, Blackley, Manchester, M9 8WQ
414 Victoria Avenue, Blackley, Manchester, M9 0QH
367 Victoria Avenue, Blackley, Manchester, M9 8WQ
345 Victoria Avenue, Blackley, Manchester, M9 8WQ
22 Weardale Road, Manchester, M9 8WR
14 Weardale Road, Manchester, M9 8WR
6 Northdale Road, Manchester, M9 8WG
23 Acre Top Road, Manchester, M9 0WP
2 Acre Top Road, Manchester, M9 0WP
376 Victoria Avenue, Blackley, Manchester, M9 0NS
374 Victoria Avenue, Blackley, Manchester, M9 0NS
373 Victoria Avenue, Blackley, Manchester, M9 8WQ
341 Victoria Avenue, Blackley, Manchester, M9 8WQ
4 Weardale Road, Manchester, M9 8WR
51 Acre Top Road, Manchester, M9 0WP
47 Acre Top Road, Manchester, M9 0WP
43 Acre Top Road, Manchester, M9 0WP
4 Acre Top Road, Manchester, M9 0WP
17 Acre Top Road, Manchester, M9 0WP
24 Weardale Road, Manchester, M9 8WR
375 Victoria Avenue, Blackley, Manchester, M9 8WQ
Tex's Tyre Shop, 355 Victoria Avenue, Blackley, Manchester, M9 8WQ
Tex's Car Wash, 355 Victoria Avenue, Blackley, Manchester, M9 8WQ
382 Victoria Avenue, Blackley, Manchester, M9 0QH
339 Victoria Avenue, Blackley, Manchester, M9 8WQ
410 Victoria Avenue, Blackley, Manchester, M9 0QH
Shop Adjacent 293, Victoria Avenue, Blackley, Manchester, M9 0NG
293 Victoria Avenue, Blackley, Manchester, M9 0NG
56 Heaton Park Road, Manchester, M9 0GH
18 Northdale Road, Manchester, M9 8WG
325 Victoria Avenue, Blackley, Manchester, M9 8WQ
317 Victoria Avenue, Blackley, Manchester, M9 8WQ
6 Weardale Road, Manchester, M9 8WR
10 Weardale Road, Manchester, M9 8WR
Kp Hill Service Station, 355 Victoria Avenue, Blackley, Manchester, M9 8WQ
Car Park Junction Broomhall Road, Victoria Avenue, Blackley, Manchester, M9 3WQ
Top Flat, 289 Victoria Avenue, Blackley, Manchester, M9 0NG
287 - 289 Victoria Avenue, Blackley, Manchester, M9 0NG
333 Victoria Avenue, Blackley, Manchester, M9 8WQ
287A Victoria Avenue, Blackley, Manchester, M9 0NG
412 Victoria Avenue, Blackley, Manchester, M9 0QH
58 Heaton Park Road, Manchester, M9 0GH
331 Victoria Avenue, Blackley, Manchester, M9 8WQ
319 Victoria Avenue, Blackley, Manchester, M9 8WQ
291 Victoria Avenue, Blackley, Manchester, M9 0NG
408 Victoria Avenue, Blackley, Manchester, M9 0QH
380 Victoria Avenue, Blackley, Manchester, M9 0NS
369 Victoria Avenue, Blackley, Manchester, M9 8WQ
321 Victoria Avenue, Blackley, Manchester, M9 8WQ

281 Victoria Avenue, Blackley, Manchester, M9 0NG
378 Victoria Avenue, Blackley, Manchester, M9 0NS
348 Victoria Avenue, Blackley, Manchester, M9 0NS
343 Victoria Avenue, Blackley, Manchester, M9 8WQ
346 Victoria Avenue, Blackley, Manchester, M9 0NS
16 Northdale Road, Manchester, M9 8WG
14 Northdale Road, Manchester, M9 8WG
8 Acre Top Road, Manchester, M9 0WP
53 Acre Top Road, Manchester, M9 0WP
35 Acre Top Road, Manchester, M9 0WP
3 Acre Top Road, Manchester, M9 0WP
33 Acre Top Road, Manchester, M9 0WP
2 Northdale Road, Manchester, M9 8WG
7 Acre Top Road, Manchester, M9 0WP
27 Acre Top Road, Manchester, M9 0WP
12 Acre Top Road, Manchester, M9 0WP
1 Northdale Road, Manchester, M9 8WG
41 Acre Top Road, Manchester, M9 0WP
18 Weardale Road, Manchester, M9 8WR
12 Weardale Road, Manchester, M9 8WR
31 Acre Top Road, Manchester, M9 0WP
19 Acre Top Road, Manchester, M9 0WP
11 Acre Top Road, Manchester, M9 0WP

Appendix 2 – Planning constraints