MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127156/TEL/2020
Date registered valid:	12 June 2020
Proposal:	Prior approval application for the installation of a 20.0 metre high monopole with wraparound cabinet at base together with 6no. cabinets and associated ancillary works.
Address:	Pavement On Santiago Street To The South Of Junction With Rutherford Avenue, Manchester, M14 4BL
Ward(s):	Moss Side Ward
Applicant:	MBNL 6th Floor Thames Tower, Station Road, Reading, RG1 1LX
Agent (if any):	Mr Damian Hosker WHP Telecoms Ltd Helena House, Troy Mills, Troy Road, Horsforth, LS18 5GN
Case officer:	Robert Griffin Tel: 0161 234 4527 Email: r.griffin@manchester.gov.uk
Recommendation:	REFUSE
Date of recommendation:	**31.07.2020**

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 25.06.2020

Standard consultations:
Printed: 19 June 2020 Expired: 10 July 2020

Neighbour notifications
Printed: 19 June 2020 Expired: 10 July 2020

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 general character of the area is residential in nature dominated by two storey Victorian terraced properties. In the immediate vicinity of the application site are areas of grassed open space to the east, outdoor sports courts to the west and more commercial buildings to the north.

There is another telecommunications installation to the north and east to the front of the grassed outdoor amenity space (reference 121413/TEL/2018) and another mast with prior approval for the installation of a 17.5 metre high monopole reference 124386/TEL/2019 granted in September 2019 located on Great Southern Street.



View north along Santiago Street, application site centre marked red

Description of development

The proposals relate to the installation of a 20.0 metre high monopole with wrapround cabinet at base together with 6no. cabinets and associated ancillary works. Following pre-application comments on concerns with the pavement width on Santiago Street the proposals were amended to move equipment cabinets onto Rutherford Avenue. These are the drawings subject of this decision.

Consultations & Notification Responses

Councillor Emily Rowles - I'm objecting in behalf of myself and Cllr Sharif Mahamed to this application.

There is already a lot of street furniture in this area and a lot of foot traffic, and we're concerned about access to the pavement.

We're also really concerned about the number of masts in this area. There are already several masts in this area and applications that are due to go through and these need to be balanced through neighbourhoods rather than concentrated in one place.

Highways - Both the monopole and associated antennas and cabinets appear to be placed at the back of the adopted footway. This location has an existing street light and existing bollards, we therefore consider that the width of the footway is insufficient to allow us to support this

application. It's also likely that footfall in this area will be high being close to the crossing point. The placing of the equipment around the corner is not appropriate as it compromises footway widths and does not allow for a 2m clearance.

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

Siting & Appearance

Following assessment of the proposal and the proposed siting of the telecoms mast and associated cabinets it is considered that the development would give rise to harmful impact to the visual and residential amenity of the area.

It is considered that this scheme is unacceptable in this instance as the proposal would create a significant and harmful impact within the overall character of the local area in terms of visual amenity and appearance. The overall height of the monopole at 20 metres, would dominate the existing street furniture (i.e. existing lighting columns) and the number of cabinets would be excessive when viewed in the street scene.

The proposed mast at 20 metres high would dwarf nearby residential properties and would appear as a dominant feature in the street-scene. The proposed installation with the associated equipment cabinet would add to the clutter in this section of highway.

There is another telecommunications mast in close proximity to the proposed although sited further away from residential properties and another that has prior approval on Great Southern

Street. It is considered that the cumulative impacts of another such structure in relative close proximity would have unacceptable impacts on the visual amenity of the area.



View south along Santiago Street, the existing mast to the left and proposed location to the right

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 area and the visual amenity of surrounding residential occupiers. The proposal would further constitute a harmful and visually intrusive feature within the character of the street scene immediately adjacent to residential properties.

Pedestrian Safety

Concerns have been raised by the Councils Highway Services on the narrowing of the footpath caused by an installation of the proposed equipment. According to the submitted drawings the proposed installation would retain a distance of less than 2 metres on Rutherford Avenue , whilst the proposals alongside the provision of other street furniture and bollards on Santiago Street would also give rise to concerns for pedestrian safety.

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

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

1) The proposed development, due to its siting and size, would result in the existing footway on Santiago Street and Rutherford Avenue being reduced in width which would have a detrimental impact on pedestrian movement. The proposal would therefore have an unacceptable impact on highway and pedestrian safety. As such, the proposed installation is considered 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).

2) The City Council is not satisfied that this development has been sited and designed to minimise the impact upon visual amenity of the area. The proposed telecommunication installation by reason of its height, siting and appearance would form a visually intrusive and dominant feature which would be harmful to the visual amenity of neighbouring residential occupiers and the appearance of the street-scene. Furthermore the structure and associated equipment would create cumulative visual 'clutter' when viewed with other installed and proposed telecommunications structures in this area to the detriment of the character of the area. As such, the proposed installation is considered contrary to saved policy DC17.1 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services

66 Heald Avenue, Manchester, M14 4HH
62 Heald Avenue, Manchester, M14 4HH
60 Heald Avenue, Manchester, M14 4HH
59 Heald Avenue, Manchester, M14 4HH
57 Heald Avenue, Manchester, M14 4HH
8 Newark Avenue, Manchester, M14 4HE
4 Newark Avenue, Manchester, M14 4HE
2 Newark Avenue, Manchester, M14 4HE
12 Newark Avenue, Manchester, M14 4HE
10 Newark Avenue, Manchester, M14 4HE
Unity House, 42 Great Southern Street, Manchester, M14 4EZ
49 Crofton Street, Manchester, M14 7WD
Basement, Unity House, 42 Great Southern Street, Manchester, M14 4EZ
Ground Floor, Unity House, 42 Great Southern Street, Manchester, M14 4EZ
Basement The Mustard Tree, Unity House, 42 Great Southern Street, Manchester, M14 4EZ
63 Heald Avenue, Manchester, M14 4HH
62 Parkfield Avenue, Manchester, M14 4FZ
65 Heald Avenue, Manchester, M14 4HH
64 Heald Avenue, Manchester, M14 4HH
61 Heald Avenue, Manchester, M14 4HH
6 Newark Avenue, Manchester, M14 4HE
14 Newark Avenue, Manchester, M14 4HE
53 Crofton Street, Manchester, M14 7WD
51 Crofton Street, Manchester, M14 7WD
44 Great Southern Street, Manchester, M14 4EZ

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
Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Moss Side)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH