

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126781/TEL/2020

Date registered valid: 23 April 2020

Proposal: Prior approval application for a 20 metre high telecommunications mast together with wraparound cabinet at base and 3 no. associated equipment cabinets

Address: Wilbraham Road, Manchester, M14 6JX

Ward(s): Fallowfield Ward

Applicant: Hutchinson 3G UK Ltd, Star House, 20 Grenfell Road, Maidenhead, SL6 1EH

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: APPROVE

Date of recommendation: 17.06.2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: No site visit undertaken due to Covid-19 pandemic. Online street view and google earth resources used in this instance

Standard consultations:

Printed: 28 April 2020 Expired: 19 May 2020

Neighbour notifications

Printed: 28 April 2020 Expired: 19 May 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 application site relates to the public footway on the northern side of Wilbraham a short distance from its junction with Hart Road to the west and Carrington Road to the south. The proposed site is located on a wide section of pavement (approx. 6.3 metres) located between access roads to the flats at Rodmill Court and the EF School to the west. Residential flats are located to the immediate west (3 storeys) and approximately 18 metres from the corner of this block with two storey red brick detached and semi-detached residential properties on the southern side of Wilbraham Road approximately 30 metres from the site. The closest properties on Carrington Road (no.s 1 and 2) are approximately 50 and 57 metres south of the site respectively.

To the rear of the site and off the public footway are a cluster of trees beyond the boundary wall and hedgerow that bounds the EF School and Rodmill Court.

All photos of the site and relationships are contained in the appendix to this report.

Description of development

The application submission sets out that the application relates to the prior approval of a 20 metres telecommunication mast and associated cabins.

The mast is of a slimline design that has a variable width narrowing as it rises towards the equipment housing element of the mast which is located within the upper section of the mast which is approximately double the width of the top section of the mast. The accompanying equipment cabinets (3 in no in addition to the wrap around cabinet at the base of the mast) are to be coloured grey and the mast is to be of a galvanised finish to match that of nearby street furniture.

The applicant indicates that this specific proposal forms part of an integral requirement for H3G LTE to expand its 5G telecommunications network across Manchester. The applicant indicates that the cell search is constrained in this area and options are limited and the site put forward is the only viable site in what is a densely residential area. The supporting information indicates the nominal location for coverage purposes is to the east of the application site but would have had a closer relationship to a greater number of residential properties.

The applicant provided an updated set of drawings to correctly identify Wilbraham Road rather than Wilbraham Lane, the application site address did not require amending as it referred to Wilbraham Road and the two location plans identified the area of Wilbraham Road that the proposal relates to.

Consultations & Notification Responses

Nearby residential properties (72 addresses) were notified of the proposal. Objections were received from 8 individuals, correspondence was received from Cllr Dodswell regarding the process and that she had been contacted by constituents who had raised concerns with the proposals. A summary of the responses received is set out below:

- The proposed plans for this mast look as though it will be very out of place, and an eye sore for not only the general public living in this area but in particular the residents of Rodmill Court and 24c,d,e,f Wilbraham Road. We would be faced with looking at this every day.
- There is also an extreme concern that I have seen increased reports about people attempting to destroy masts through arson due to 5g conspiracies.
- The mast should be located in a less populated area or a more discreet location where residents are not at risk of having health or property damaged due to hostility to masts. To be clear, our concern is not surrounding the risk of 5g but with the potential and likely hostility others have with the masts and the direct affect this could have on us and our home.
- It was only my neighbour saying about it that I would not know about this planned structure. Only 4 houses were notified and there is no notice around where this imposing structure is going to land, so that most of the neighbourhood have not had time to discuss or know about what the planning department is allowing to happen without due notice and consultation.
- On the drawing it says Wilbraham Lane, this does not exist? The google map and street view do not match either as these are showing somewhere in Trafford? Why is this on there? Has this site been visited or 'just picked' as surely, this information should have been noted correctly?
- Little research and if so, what research has been done to ensure this is the correct location- are there notes available from these discussions?
- The park is behind the suggested location, is there a reason why this has not been taken into consideration as a location?
- I have many underlying health conditions and i am very concerned this mask will be on my doorstep.
- The height of the mask is also a major concern.

- Why was this planned during lockdown? Is that because everyone is so focussed upon the 'covid 19,' pandemic that they would be too distracted to divert their attention to this?

Highway Services – Raise no objections to the siting of the proposed mast and equipment cabinets sufficient pavement width would be retained after the installation.

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.

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 not give rise to harmful impact to the visual and residential amenity of the area.

A number of images of the site and its context are appended to this report, this sets out a variety of views of the site.

The site forms part of the public footpath which at this point on Wilbraham Road is approximately 6.3 metres in width. The nearest residential properties are located to the north and east of the site with the corner of the 3 storey apartments being approximately 18 metres away. There are side windows in this block of apartments and front facing windows. Given the orientation of the proposed mast and location of cabinets direct viewing points of the installation would be limited. The rear block of apartments at Rodmill Court would be located approximately 40 m away from the mast. Residential properties to the southern side of Wilbraham Road are approximately 30 metres from the site.

It is considered that these distances and siting would ensure that the installation would not form an overbearing or overly dominant feature to the nearest residential properties.

The mast would form a new structure that would be taller than similar street furniture, particularly street lighting which are of a lower height. The width of the mast together with the proposed galvanised finish would assist in assimilating the structure into the street scene together with the presence of street trees on Wilbraham Road and to the site to the north and would be of an appearance acceptable within the streetscene.

The mast and associated equipment cabinets have been sited to provide the required infrastructure and network coverage for the area and to minimise the visual impacts of the installation. It is acknowledged that the mast and cabinets would result in a visual change on this part of Wilbraham Road however, this change is not in this instance considered as so harmful as to warrant refusal of the proposal in terms of its siting and appearance as set out above.

Health and Safety

The proposal accords with all relevant health and safety requirements, including the guidelines of the International Commission for Non-Ionising Radiation Protection (ICNIRP) as adopted in the EU Council Recommendation of 12 July 1999 on the limitation of exposure to the general public to electromagnetic fields.

A declaration of conformity with ICNIRP Public Exposure Guidelines has been submitted with the application as received by the City Council as Local Planning Authority on 23rd April 2020 and meets guidelines in terms of health aspects. The NPPF indicates that a local planning authority does not need to give further consideration to health aspects when an ICNIRP has been submitted. It is not therefore necessary to further consider aspect of health and other concerns, including the perception of risk. It is noted that the most recent guidance available from Public Health England published in October 2019 indicates that "It is possible that there may be a small increase in overall exposure to radio waves when 5G is added to an existing network or in a new area. However, the overall exposure is expected to remain low relative to guidelines and, as such, there should be no consequences for public health".

Further advice on health issues was previously provided in PPG8 which has now been replaced with the National Planning Policy Framework and the weight that this can be given to applications for telecom equipment.

Concerns have been raised regarding the proposed equipment becoming a target for vandalism and potential anti-social behaviour. It is acknowledged that some similar installations have become targets for such behaviour nationally. Whilst this is acknowledged, this is not considered a matter that would override the necessity of the infrastructure in this location to warrant refusal on siting concerns.

Notification process

The application was subject of neighbour notification letters being sent to those properties in closest proximity to the proposals. Objections have been received and from properties not sent letters. In this instance it is not considered that the process has been deficient against national legislation.

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

The application has been determined in a positive and proactive manner, a decision has been issued within statutory timescales.

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 MAN12076_M001 Rev B received on the 21st May 2020 together with accompanying information received by the City Council as Local Planning Authority on 23rd April 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

61 Wilbraham Road, Manchester, M14 7DN
49 Wilbraham Road, Manchester, M14 7DH
47 Wilbraham Road, Manchester, M14 7DH
41 Wilbraham Road, Manchester, M14 7DH
57 Wilbraham Road, Manchester, M14 7DN
Flat 22, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 21, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 20, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 19, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 18, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 17, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
24D Wilbraham Road, Manchester, M14 6JP
55 Wilbraham Road, Manchester, M14 7DN
45 Wilbraham Road, Manchester, M14 7DH
43 Wilbraham Road, Manchester, M14 7DH
First Floor And Second Floor, 28 - 30 Wilbraham Road, Manchester, M14 7DW
Leapfrog Nursery, 26A Wilbraham Road, Manchester, M14 6JU
Ground Floor And First Floor, 28 - 30 Wilbraham Road, Manchester, M14 7DW
53 Wilbraham Road, Manchester, M14 7DN
59 Wilbraham Road, Manchester, M14 7DN
Flat 20, 24E Wilbraham Road, Manchester, M14 6JP
Flat 18, 24E Wilbraham Road, Manchester, M14 6JP
Flat 16, 24E Wilbraham Road, Manchester, M14 6JP
Flat 13, 24D Wilbraham Road, Manchester, M14 6JP
Flat 10, 24C Wilbraham Road, Manchester, M14 6JP
Flat 8, 24C Wilbraham Road, Manchester, M14 6JP
Flat 5, 24B Wilbraham Road, Manchester, M14 6JP
Flat 2, 24B Wilbraham Road, Manchester, M14 6JP
Flat 13, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 10, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 8, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 5, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 3, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 1, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 16, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
24E Wilbraham Road, Manchester, M14 6JP
24C Wilbraham Road, Manchester, M14 6JP
24B Wilbraham Road, Manchester, M14 6JP
Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
28 - 30 Wilbraham Road, Manchester, M14 7DW
Flat 21, 24E Wilbraham Road, Manchester, M14 6JP
Flat 19, 24E Wilbraham Road, Manchester, M14 6JP
Flat 17, 24E Wilbraham Road, Manchester, M14 6JP
Flat 15, 24D Wilbraham Road, Manchester, M14 6JP
Flat 14, 24D Wilbraham Road, Manchester, M14 6JP
Flat 12, 24C Wilbraham Road, Manchester, M14 6JP
Flat 11, 24C Wilbraham Road, Manchester, M14 6JP
Flat 9, 24C Wilbraham Road, Manchester, M14 6JP
Flat 7, 24C Wilbraham Road, Manchester, M14 6JP
Flat 6, 24B Wilbraham Road, Manchester, M14 6JP

Flat 4, 24B Wilbraham Road, Manchester, M14 6JP
Flat 3, 24B Wilbraham Road, Manchester, M14 6JP
Flat 1, 24B Wilbraham Road, Manchester, M14 6JP
Flat 15, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 14, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 12, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 11, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 9, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 7, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 6, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 4, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 2, Rodmill Court, 24A Wilbraham Road, Manchester, M14 6JU
Flat 7, Parkside, 193 Hart Road, Manchester, M14 7BA
Flat 4, Parkside, 193 Hart Road, Manchester, M14 7BA
Flat 1, Parkside, 193 Hart Road, Manchester, M14 7BA
Flat 6, Parkside, 193 Hart Road, Manchester, M14 7BA
Flat 5, Parkside, 193 Hart Road, Manchester, M14 7BA
Flat 3, Parkside, 193 Hart Road, Manchester, M14 7BA
Flat 2, Parkside, 193 Hart Road, Manchester, M14 7BA

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH