

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126783/TEL/2020

Date registered valid: 23 April 2020

Proposal: Prior approval for the installation of 20m Monopole with Cabinet at base and associated ancillary works

Address: Footpath On The Northern Side Of Oldham Road Near To William Chadwick Close, Manchester, M4 5DB

Ward(s): Miles Platting & Newton Heath Ward

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

Agent (if any): Mr Ryan Marshall WHP Telecoms Ltd Helena House, Troy Mills, Troy Road, Horsforth, LS18 5GN

Case officer: Nasira Farooq
Tel: 0161 234 4165
Email: n.farooq2@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 16 June 2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 30 April 2020 Expired: 21 May 2020

Neighbour notifications

Printed: 30 April 2020 Expired: 21 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

DESCRIPTION OF SITE

The works are proposed to the back of the carriageway fronting Oldham Road in the Miles Platting area of north Manchester. The site is located within a residential area, with housing opposite the site and further to the rear on William Chadwick Close.

Currently there is a vacant piece of grassed area immediately to the rear of the site, however this site relates to a potential residential development site. The principal of development of this land for housing, formed part of the Neighbourhood Plan for Miles Platting approved as part of an outline application approved 5th September 2006 (ref: 079633/OO/2006/N1) for the re-development of the Miles Platting Neighbourhood area. This permission established the guiding principles for the regeneration of the area, including a parameters plan indicating the areas where new development will come forward and where existing properties will be refurbished. It included the opportunity to create a new east west link.

The submitted application is for the prior approval for the installation of a 20m monopole with cabinet at base and associated ancillary works.

PLANNING HISTORY

Land Bounded By New Allen Street, Oldham Road and William Chadwick Close

126467/FO/2020 - Erection of 22 two and three storey dwelling houses (Use Class C3a) with associated access, car parking, boundary treatment and landscaping PENDING CONSIDERATION

Land Forming The Miles Platting Neighbourhood As Bounded By New Allen St, Livesey St, Oldham Rd, Sawley Rd, Varley St, James St, Lwr Vickers St, Danson St, Iron St, Rear Of Kenwin St, Bradford Rd, Old Mill St, Miles Platting

080520/FO/2006/N1 - Full Application for the re-development of the Miles Platting Neighbourhood area, comprising the erection of 11 new dwellinghouses (4 on Sawley Road, 2 on Bradford Road and 5 on Chippenham Road (following demolition)), part 2/3 storey extension to Butler Court to provide 20 additional apartments for the elderly, external alterations to 7 existing high rise blocks (Alburn, Nelson, Queensbury, Butler, Landos, Gunson and Naylor Courts), new boundary treatments to all domestic properties, physical upgrading of 1548 houses and apartments, conversion of 22 apartments at Millhead Avenue and Manstead Walk to form 11 family houses, and removal of 65 apartments from existing high rise blocks to form larger residential units, environmental and public realm works including the provision of 6 pocket parks (following demolition); and the carrying out of associated highway improvements throughout the area APPROVED 26/10/06

Land Bounded By New Allen St/Oldham Rd To North West, Sawley Rd/Varley St To Saxon St To North & North East, Bradford Rd/Ashton Canal & Old Mill St To South & East, Weybridge Rd/Wadeford Cl/Butler St & Oakford Ave To West

Miles Platting

079633/OO/2006/N1 - OUTLINE APPLICATION for the re-development of the Miles Platting neighbourhood area, comprising the erection of a maximum of 1443 no. residential dwellings comprising a maximum of 875 no. houses and 568 no. apartments and means of access. Demolition of 278 residential properties and 28 areas of commercial properties/community facilities. Refurbishment works to 1757 retained houses and apartments. Erection of a maximum of 6935 sq. metres (gross) commercial and community facilities (Classes A1,A2,A3,A4,A5,D1 and D2) on Oldham Road/Varley Street. Erection of a maximum 600 sq. metres (gross) inter-denominational community facility floorspace adjacent to Rochdale Canal (Class D1). Provision of a maximum area of 0.74 hectares for education-related Class D1 use to south-east of St. Marks School. Provision of 2.64 hectares public open space including canal-side walkway and informal amenity areas. Provision of new and refurbished highway network and associated parking APPROVED 5/9/06

CONSULTATIONS & NOTIFICATION RESPONSES

LOCAL RESIDENTS

None received

HIGHWAYS

- o Traffic restrictions of No Loading Mon-Sat 7am-10am and Mon-Fri 4pm-7pm and No Waiting At Any Time are in place adjacent to the site. In the ward of Miles Platting & Newton Heath.
- o Both the mast and associated antennas and cabinets appear to be placed at the back of the adopted footway. Sufficient carriageway clearance is being provided and sufficient footway width is being maintained.
- o 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.
- o It is understood that the proposals would require a minimal level of routine servicing/maintenance (every two to three months) which would require maintenance vehicles to be parked nearby in consideration of the surrounding parking restrictions.

- o Detail is sought on proposed installation arrangements from a highways perspective. The applicant is advised that any requirements for temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

POLICIES

NATIONAL PLANNING POLICY FRAMEWORK

Chapter 8. Promoting healthy and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other - for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

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.

Chapter 12. Achieving well-designed places

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AMENDMENT) (NO.2) ORDER 2016

The proposal falls within Part 16, Class A - 'Electronic communications code operators', of the above regulations. This requires that Local Planning Authorities assess whether prior approval is required for the siting and appearance of the development.

LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY DEVELOPMENT PLAN DOCUMENT (ADOPTED 11 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
- Protect and enhance the built and natural environment

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.

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.

E3.3 relates to Radial routes and states that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

ISSUES

As this is a prior approval application the only issues, which can be taken into account, are siting and design.

The submitted application is for the prior approval for the installation of a 20m monopole with cabinet at base and associated ancillary works.

The agent states that there is a requirement to upgrade the UK H3G (Three) network to provide improved coverage and capacity, in relation to 5G services. The proposal is located on the adopted highway of Oldham Road, in north Manchester. Network Three are in the process of building out the UK's fastest 5G network, which means the service will be much faster and able to handle more data. This new technology will need to provide a mix of upgrades to existing sites and the building of new sites. The agent further states that new sites will be needed for many reasons, including the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded, and in this area there is an acute need for a new mast to deliver the service.

The agent was made aware that the submitted prior approval application could not be supported, by virtue of its siting, scale and appearance, would form a visually intrusive and dominant feature within the street scene along this important road route. Furthermore, the siting of the proposed monopole is also likely to impact the potential redevelopment of the adjacent land.

SITING & APPEARANCE

Having assessed the proposal, the development would give rise to harmful impact to the visual and residential amenity of the area and is also likely to impact the potential redevelopment of the adjacent land.

The proposed 20 metre high monopole, by virtue of its siting, scale and appearance, would form a visually intrusive and dominant feature within the street scene along this important radial road route, Oldham Road. Furthermore, the siting of the proposed monopole is also likely to impact the potential redevelopment of the adjacent land.

As stated above the proposal falls within the Miles Platting Regeneration Area. The large grassed area that sits to the rear of the proposed telecoms site is one of the residential phases currently the subject of a planning application (126467/FO/2020) for 22 residential properties. The houses are proposed to face out onto Oldham Road, and the telecommunications pole together with the ancillary equipment would be directly within the site line of these houses.

It is therefore considered that the siting of the 20-metre monopole would have a negative impact upon future development and improvements to the environment taking place within the area, and as a consequence would have a detrimental impact on the overall street scene.

Currently the adjacent land to the rear of the application site remains open in nature with a distance between neighbouring development, which consist of two storey residential properties along Oldham Rod and further rear to the site. Due to the nature of the immediate site it is considered that the overall height of the monopole at 20 metres, would dominate the existing street furniture, which consists of lighting columns, traffic lights and a bus stop/shelter when viewed along this stretch of Oldham Road. The proposal is considered unacceptable as it has a harmful impact terms of visual amenity and appearance.

The distanced measured from the proposal to the nearest residential properties, east of Oldham Road is one of 25 metres (directly opposite the site) and one of 29 metres west of the site with William Chadwick Street (no. 8). With regards to the future residential development the proposed monopole and equipment would be directly in front of this. The distances measured show how close the proposal is in relation to these residential properties and the harmful impact that it will pose in terms of visual appearance, viewing a large tall structure and the overall residential amenity.

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 and future residential developments.

DESIGN

The proposed 3 no. cabinets are a simple square box/rectangular shape and monopoles are cylindrical and very similar to other telecommunications equipment within the vicinity and elsewhere in the City.

The design, height and colour of the proposed equipment identified as 'grey' does not blend in with the surrounding street scene, and are therefore not considered to be acceptable.

CONCLUSION

For these reasons, the proposed installation would be contrary to guidance within the National Planning Policy Framework, policies DM1 (Development Management) and SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester and saved policy DC17.1 (Telecommunications) of the Unitary Development Plan for Manchester.

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 dated 18 April 2020 (stamped and received by the City Council as Local Planning Authority on 23 April 2020) and meets guidelines in terms of health aspects that a local planning authority does not need to give further consideration to health aspects given 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 recognised that there are concerns being raised within the press and on social media relating to the roll out of the 5G network. Every planning submission relating to new telecommunications equipment is required to include a certificate to demonstrate that the equipment proposed does not expose the public to radio frequency fields above the guidelines set by the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

Central Government advice is that Local Planning Authorities must determine applications on planning grounds only and cannot set any health safeguards different from the International Commission guidelines for public exposure. Therefore, as long as the equipment complies with the set guidelines the Council cannot refuse a planning application due to potential health impacts.

ALTERNATIVE SITES

Saved UDP policy DC17 states that 'wherever possible, the Council will expect the potential of existing buildings and masts, including the sharing of such facilities, to be fully explored before agreeing to additional separate development'.

The agent states that the cell search is extremely constrained, and the only viable option has been put forward.

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

Article 35 Declaration

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application. In this instance a solution that was acceptable to both the Local Planning Authority and the agent could not be reached as the nature of the proposal was considered to be unacceptable.

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

1) The City Council is not satisfied that this development has been sited and designed to minimise the impact upon visual amenity. The proposed telecommunication installation by reason of its height, siting and appearance would be unduly harmful to the visual amenity of the surrounding area, particularly along Oldham Road. Furthermore, the siting of the monopole is also likely to impact the potential redevelopment of the adjacent land. The proposed telecommunications equipment would therefore be 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).

Appendix 1 – List of consultees & neighbours notified

Highway Services

3 Eastleigh Drive, Manchester, M40 7JD
7 Eastburn Avenue, Manchester, M40 7WZ
38 Eastburn Avenue, Manchester, M40 7WZ
3 Eastburn Avenue, Manchester, M40 7WZ
7 Bothwell Road, Manchester, M40 7PA
36 Eastburn Avenue, Manchester, M40 7WZ
29 Farnborough Road, Manchester, M40 7WF
3 Bothwell Road, Manchester, M40 7PA
Phoenix Mot Centre, New Allen Street, Manchester, M40 7UX
9 Bothwell Road, Manchester, M40 7PA
4 John Clynes Avenue, Manchester, M40 7PQ
1 Eastburn Avenue, Manchester, M40 7WZ
41 Farnborough Road, Manchester, M40 7WF
5 Bothwell Road, Manchester, M40 7PA
9 Eastleigh Drive, Manchester, M40 7JD
13 Eastleigh Drive, Manchester, M40 7JD
35 Farnborough Road, Manchester, M40 7WF
23 Farnborough Road, Manchester, M40 7WF
35 New Allen Street, Manchester, M40 7UR
245 Oldham Road, Manchester, M40 7PT
8 John Clynes Avenue, Manchester, M40 7PQ
6 John Clynes Avenue, Manchester, M40 7PQ
2 John Clynes Avenue, Manchester, M40 7PQ
18 John Clynes Avenue, Manchester, M40 7PQ
16 John Clynes Avenue, Manchester, M40 7PQ
14 John Clynes Avenue, Manchester, M40 7PQ
12 John Clynes Avenue, Manchester, M40 7PQ
10 John Clynes Avenue, Manchester, M40 7PQ
8 William Chadwick Close, Manchester, M40 7PG
6 William Chadwick Close, Manchester, M40 7PG
4 William Chadwick Close, Manchester, M40 7PG
2 William Chadwick Close, Manchester, M40 7PG
5 Eastburn Avenue, Manchester, M40 7WZ
1 Bothwell Road, Manchester, M40 7PA
7 Eastleigh Drive, Manchester, M40 7JD
5 Eastleigh Drive, Manchester, M40 7JD
15 Eastleigh Drive, Manchester, M40 7JD
11 Eastleigh Drive, Manchester, M40 7JD
1 Eastleigh Drive, Manchester, M40 7JD
39 Farnborough Road, Manchester, M40 7WF
37 Farnborough Road, Manchester, M40 7WF
33 Farnborough Road, Manchester, M40 7WF
31 Farnborough Road, Manchester, M40 7WF
27 Farnborough Road, Manchester, M40 7WF
25 Farnborough Road, Manchester, M40 7WF
39 New Allen Street, Manchester, M40 7UR
37 New Allen Street, Manchester, M40 7UR

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 - Not Affected

Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Area Team Boundary - Name: NORTH1