

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126836/TEL/2020

Date registered valid: 1 May 2020

Proposal: Prior Approval for the installation of 20m column supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development including a GPS module and 3 no. Remote Radio Units (RRUs)

Address: Footpath Adjacent To Junction of Blackley New Road/Middleton Road Manchester, M8 4NA

Ward(s): Higher Blackley Ward

Applicant: Clarke Telecom Ltd C/o Agent

Agent (if any): Mr Richard Morison Pegasus Planning Group Ltd First Floor South Wing Equinox North, Great Park Road, Almondsbury, Bristol, BS32 4QL

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

Recommendation: Approve

Date of recommendation: 15 June 2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Standard consultations:

Printed: 1 June 2020 Expired: 15 June 2020

Neighbour notifications

Printed: 1 June 2020 Expired: 15 June 2020

Site notice

Posted: 22 May 2020 Expired: 12 June 2020

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates an area of public footway on the eastern side of Middleton Road, just before the junction with Blackley New Road.

The footway at this point is relatively wide and host some street furniture in the form of lampposts, BT equipment cabinets and bollards.

In contrast to the adjoining land and houses beyond to the east, the application site along this section of Middleton Road occupies an elevated position.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated close to the junction with Middleton Road and Blackley New Road, adjacent to an area of informal open space along its eastern edge. With the exception of a small number of commercial premises a little further to the north along Middleton Road and a synagogue and its associated grounds on the opposite side of Middleton Road, the immediate area is largely residential in context, mainly comprising of two storey dwellinghouses.

The site lies opposite the administrative boundary with Bury MBC, which commences on the opposite side of Middleton Road to the west.

Description of development

Prior approval is sought for the installation of a 20m slim-line column supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development, including a GPS module, and 3 no. Remote Radio Units (RRUs).

In order to minimise the width of the proposed column, the antennas are split in to a dual stack formation where 3 antennas will be located at the top of the column and the other 3 antennas will be located underneath.

The application relates to a revised position to that originally submitted, with the proposed installation relocated from the middle of the footway further towards the back of the pavement, adjoining the area of open space.

Consultations & Notification Responses

Local Residents/Occupiers – 2 representations have been received. Comments are summarised below:

- Further poles in the area will ruin the landscape.
- At this moment in time there is not a need for 5G in this area as the broadband is very good. 5G is not therefore necessary.
- The research suggests the impact 5G will have on people and radiation will become higher. This is a concern to the residents in our area especially those very close to the proposed area.
- The small economic benefit if any compared to the impact on people health, lives and wellbeing is incomparable.
- If anything will be built on the land on the corner of Blackley New Road and Middleton Road, this proposal will impact it in the future.
- There is concern that the mast will have a negative impact on the redevelopment of the Meade Hill Shull synagogue site opposite, including associated land which they are seeking to develop for residential apartments. There are further concerns surrounding the proximity of the mast and the impact upon local foundations are raised, as well as the potential health impact upon users of the synagogue which serves the community as a Place of Worship, youth club and day care centre.

Highway Services - The proposed column appears to be placed in the centre of the adopted footway.

Highways have concerns that the column would potentially create an obstruction to passing pedestrians, causing distraction to passing vehicles and giving rise to forward visibility issues to sight lines in this position.

The associated antennas and cabinets appear to be placed at the back of the adopted footway providing adequate width to cater for pedestrians and wheelchair/buggy users which is acceptable to Highways.

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.

Following these concerns, the proposed installation has been re-sited further towards the back of pavement.

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. The Local Planning Authority has 56 days in which to let the applicant know of its decision on whether prior approval is required for siting and appearance and to let the operator know of its decision to allow or refuse approval.

Given background 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.

As such, 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 necessary 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 and the series of tall trees which line the adjoining car park of approximately 12 metres in height

It is not therefore considered that the proposed installation would have a significantly harmful impact upon the character and appearance of the area, or the amenity of neighbouring business occupiers, including the Meade Hill Shul Synagogue which is located on the opposite side of Middleton road and heavily screened by trees and vegetation.

The site is located to a busy, thoroughfare which leads to and from the city centre and given the distance between the proposed installation and the nearest residential properties, it is not believed the mast would form an overly intrusive feature.

The mast is fairly slim-line in appearance. The proposed monopole will have a galvanised steel finish to reflect other nearby street furniture typical of an urban streetscape.

The proposed equipment cabinet is 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. The cabinets have also been designed to appear like other statutory undertakers equipment cabinets. They are small for telecommunications apparatus and are proposed to be coloured green to assimilate with other equipment cabinets commonly found in urban environments.

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 can be satisfactorily accommodated when taking all factors into account.

Access

The application has originally submitted proposed the siting of the equipment in central position within the footway. Due to concerns that this cause an obstruction or impede access, the equipment has been re-sited further towards the back of pavement

Given the remaining width of the pavement which is in excess of 2 metres, it is not believed that access will be negatively affected.

Impact on Health and Safety

Concerns have been expressed with the representations received regarding the potential implications upon the health and safety of nearby occupiers.

The role of the planning system however 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.

Other Matters

An objection has been received as to whether there is a need for 5G in the area. However, it is not the role of the Local Planning Authority to consider any such implications.

National planning guidance and specifically Paragraph 116 of the National Planning Policy Framework states that:

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.

The application has therefore been assessed on the grounds of its siting and appearance only.

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:

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 100/B, 201/C and 301/C received by the City Council as Local Planning Authority on 31 May 2020, together with accompanying information received by the City Council as Local Planning Authority on 1 May 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
Highway Services
Bury Metropolitan Borough Council

220 Middleton Road, Manchester, M8 4NA
218 Middleton Road, Manchester, M8 4NA
198 Middleton Road, Manchester, M8 4NA
190 Middleton Road, Manchester, M8 4NA
8 Carr Bank Avenue, Manchester, M9 8FT
6 Carr Bank Avenue, Manchester, M9 8FT
4 Carr Bank Avenue, Manchester, M9 8FT
22 Carr Bank Avenue, Manchester, M9 8FT
2 Carr Bank Avenue, Manchester, M9 8FT
16 Carr Bank Avenue, Manchester, M9 8FT
10 Carr Bank Avenue, Manchester, M9 8FT
205 Middleton Road, Manchester, M8 4LR
207 Middleton Road, Manchester, M8 4LR
209 Middleton Road, Manchester, M8 4LR
211 Middleton Road, Manchester, M8 4LR
213 Middleton Road, Manchester, M8 4LR
215 Middleton Road, Manchester, M8 4LR
United Schul, 88 Meade Hill Road, Manchester, M8 4LP
61 Meade Hill Road, Manchester, M8 4LW
261 Middleton Road, Manchester, M8 4LX
263 Middleton Road, Manchester, M8 4LX
265 Middleton Road, Manchester, M8 4LX
267 Middleton Road, Manchester, M8 4LX
269 Middleton Road, Manchester, M8 4LX
271 Middleton Road, Manchester, M8 4LX
273 Middleton Road, Manchester, M8 4LX
275 Middleton Road, Manchester, M8 4LX
18 Carr Bank Avenue, Manchester, M9 8FT
303 Blackley New Road, Manchester, M9 8ET
196 Middleton Road, Manchester, M8 4NA
194 Middleton Road, Manchester, M8 4NA
192 Middleton Road, Manchester, M8 4NA
20 Carr Bank Avenue, Manchester, M9 8FT
14 Carr Bank Avenue, Manchester, M9 8FT
420 Blackley New Road, Manchester, M9 8FR
418 Blackley New Road, Manchester, M9 8FR
212 Middleton Road, Manchester, M8 4NA
214 - 216 Middleton Road, Manchester, M8 4NA
Ground Floor, 214 - 216 Middleton Road, Manchester, M8 6NA
Basement, 214 - 216 Middleton Road, Manchester, M8 6NA
208 Middleton Road, Manchester, M8 4NA
216 Middleton Road, Manchester, M8 6NA
5 Middleton Court, 212 Middleton Road, Manchester, M8 4NA
4 Middleton Court, 212 Middleton Road, Manchester, M8 4NA
3 Middleton Court, 212 Middleton Road, Manchester, M8 4NA
2 Middleton Court, 212 Middleton Road, Manchester, M8 4NA
1 Middleton Court, 212 Middleton Road, Manchester, M8 4NA
222 Middleton Road, Manchester, M8 4NA

200 Middleton Road, Manchester, M8 4NA
12 Carr Bank Avenue, Manchester, M9 8FT
422 Blackley New Road, Manchester, M9 8FR
416 Blackley New Road, Manchester, M9 8FR
301 Blackley New Road, Manchester, M9 8ET

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 Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH1