

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126837/TEL/2020

Date registered valid: 1 May 2020

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

Address: Pavement Adjacent To Queens Road Near Junction With Cheetham Hill Road, Manchester

Ward(s): Cheetham Ward

Applicant: Clarke Telecoms Ltd C/o Agent

Agent (if any): Mr James Nicol Pegasus Planning Group Ltd 1st Floor South Wing Equinox North, Great Park Road, Almondsbury, Bristol, BS32 4QL

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: j.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 June 2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 14 May 2020 Expired: 4 June 2020

Neighbour notifications

Printed: 14 May 2020 Expired: 4 June 2020

Site notice

Posted: Expired:

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: No

Tree Preservation Order: No

This application seeks consent for the Prior Approval for the installation of a 20m slim-line column supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets located at the back of the pavement line facing Queens Road close to the junction with Cheetham Hill Road. The application site lies within close proximity to the Cheeetham Hill Retail Park. The site has a commercial backdrop of a large retail unit known as Curry's PC World that is situated within the Retail Park. Opposite to the site is St Chads RC primary school. The nearest residential property lies on Queens Road over 74m metres away at an obtuse angle to the application site.

The 20 metre monopole and associated low level ancillary equipment would be positioned in between two existing street lights and positioned in front of a brick and mesh fence and low level planting that flanks the car park of the retail park facing Queens Road.

Prior Approval Legislation

This application is submitted under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 and in accordance with the electronic communications code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003.

The applicant is Telefonica who are a licensed operator of an electronic communications network in accordance with the Communications Act 2003.

Telefonica benefits from permitted development rights for this development as set out under the above order. H5G are required to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required to the siting and appearance of the development set out below;

Proposed telecommunications installation: For the Prior approval for the Prior Approval for the installation of a 20m slim-line column supporting 6 no. antennas, 2 no. transmission dishes, 2 no. equipment cabinets

The location has been identified as being necessary for H5G Ltd business development and meets its specific technical and operational requirements.

The proposal was advertised in the local press as ' public interest' informing the public regarding the development.

Consultations & Notification Responses

The occupiers of the surrounding buildings were consulted and no representations were received.

The application was advertised in the local press and no representations were received.

The Highways Team were consulted and commented the a 2 metres footpath clearance should be maintained. However, this proposal has a footpath clearance of 1890mm and highways have confirmed that this reduced distance is acceptable in this location due to low footfall along this section of Queens Road.

Issues

The proposal is compliant with the following Policies.

Section 10 of the National Planning Policy Framework

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 34 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.

Reason the Proposal is Consistent with Section 10 of the NPPF.

This proposal is considered to comply with the above policy as it makes a contribution under the requirement of the NPPF to provide quality and reliable communications infrastructure that is essential for economic growth and social well-being for the residents and users of Manchester and supporting the principle of this type of proposal should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G).

Furthermore, the NPPF states that the number of radio and electronic sites for such installations, should be kept to a minimum. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. The applicant has explored the possibility of mast sharing and considered locating the mast on top of existing buildings however there is a shortage of building of an adequate size to house the equipment and provided coverage cell details to demonstrate that there is short fall of coverage in this location. There are no existing masts within the vicinity that would allow mast sharing to be adequately provided without the need to install excessively large and visually obtrusive equipment to an existing mast. Therefore, in line with the requirement outlined with the NPPF, the equipment has been sympathetically designed to appear similar in structure and positioning with existing street light columns along this section of Queens Road. Furthermore, the applicant has confirmed that the proposal would not exceed International Commission guidelines on non-ionising radiation protection. Therefore, the proposal is considered to comply with the Nation Planning Policy Framework (NPPF) Section 10 Supporting high quality communications.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy")

The Core Strategy was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements

of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Development in all parts of the City should make a positive contribution to neighbourhoods of choice including:-

- o Creating well designed places that enhance or create character,
- o Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.

Policy DM1 - Development Management

Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.
- o Development should have regard to the character of the surrounding area.
- o Accessibility: buildings and neighbourhoods fully accessible to disabled people.
- o Effects relating to landscape.

Reason the Proposal is Consistent with DM1 Development Management

This proposal seeks consent for the installation of the 20 metres mast that would be situated at the back of the pavement line in front of piece of hard standing next to the retail unit occupied by Curry's PC World, which is situated within the Cheetham Hill Retail Park. Curry's PC World building measures 9 metres in height and has been design as a continual unbroken elevation that appears to be of a significant mass along Queens Road. There are a number of 12 metres high street lights in the immediate area which form part of the street scene when viewed at vantage points such as the junction where Queens Road and Cheetham Hill Road and, there are a number of mature trees and low level planting around the site edging the retail park. The introduction of the mast at this location is considered to be acceptable as the mast does not appear to be at odds with the amount and deign of street furniture within the area and coupled with the well-established boundary treatment behind the mast which breaks the view in to the retail park the mast do not look out of place within the retail and commercial setting which forms the character of the immediate area. There has been an attempt to rationalist the acceptability of the mast as it is considered to some extent to mimic the appearance of existing street lighting columns. The slim nature of the design does not detract visually from within the street scene and the modern design is also considered to be complementary to the modern architecture of the retail park behind. The street scene also benefits from the visual presents of trees. Therefore, the appearance of the mast when viewed collectively with the busy backdrop that softens the appearance of the mast by allowing the structure to blend with its surroundings. Therefore, it is considered that the proposal has an acceptable impact on the surroundings in terms of its design, scale and appearance and has regard to the commercial character of the surroundings.

Discussion took place to seek a reduction in height of the mast. However, it was concluded that the height was necessary to penetrate the required coverage area and a reduction in height would result in the potential requirement for an increase in number of mast in the area.

Therefore, given the reasons described above the current mast is considered to be acceptable and in accordance with Policy DM1 of the core strategy for Manchester.

Policy DM 1 also states that neighbourhoods should be fully accessible and the positioning if this proposal allows adequate access for able, disabled and ambient disabled people using the footpath. The mast and associated equipment leaves 1890mm clearance on the footpath.

Highways generally request a 2000m clearance however they have confirmed that where footfall is low there will be allowances made and each proposal would be judged on its own merits and support the proposal. Further to the highways team requirements the proposal is considered to be in accordance with the guidance sets out in Design for Access 2 documents, which states 'Footpath minimum unobstructed width of 2000mm, and 1800mm over a short distance to pass'. Therefore, the proposal is considered to be acceptable and in accordance with Policy DM 1 of the core strategy for Manchester and Design for Access 2.

Policy SP1 - Spatial Principles

This Policy refers to the key spatial principles which will guide the strategic development of Manchester to 2027, together with Core Development Principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. All development should have regard to the character, issues and strategy for each regeneration area as described in the Strategic Regeneration Framework and the Manchester Strategic Plan.

The proposal is considered to make a positive contribution to the health and wellbeing of residents as the advancement of, high quality and reliable communications infrastructure is essential for economic growth and social well-being. High quality digital infrastructure, provides access to services from a range of providers which enable communities to function effectively. Furthermore, SP1 states that all development should protect all members of the community and enhance and protect the built environment. The site and appearance of the telecoms structure has been designed and positioned to have the least visual impact whilst providing a coverage within the area and by omitting other more visually intrusive locations. Therefore, the proposal is considered to protect the environment in which it is located and is in accordance with policy SP1 of the core strategy for Manchester.

Unitary Development Plan For Manchester

The Unitary Development Plan has been largely replaced by the Core Strategy for Manchester. However, several policies within the UDP have been saved by way of a Secretary of State Saving Direction and remain extant as material considerations in the planning process. The following policies are of relevance to the present application:

DC17.1 Telecommunications

DC17.1 Applications for telecommunications developments will normally be approved if the Council can be satisfied that the development has been sited and designed to minimise its impact on residential amenity and in environmentally sensitive areas. 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 proposal accords with Policy DC17 as consideration has been given to the location of the structure as the positioning has been identified as being necessary in meeting specific technical and operational requirements and would be positioned to minimise any impact upon residential amenity and the environment.

Principle and Conclusion.

A 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 in particular states that "Advanced, high quality communications infrastructure is essential for sustainable economic growth and social well-being".

Saved policy DC17.1 of the UDP looks to support telecommunication development, subject to minimising any impact upon the residential amenity and the environment.

Given the above, the proposal complies with the overarching policy framework which outlines a general presumption in favour of telecommunication development. The proposal has therefore been designed so not to have a material or further impact upon amenity or the local environment and is therefore, considered to be acceptable

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance the Local Planning Authority requested further information and drawings relating to the proposal and has attached appropriate conditions to the approval.

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

1) The City Council is satisfied that this development has been sited and designed to minimise the impact on the visual amenity of the surrounding area. The proposal is also suitably sited to ensure there is no detriment to highway and pedestrian safety. Accordingly, the proposal

complies with Section 10 of the National Planning Policy Framework, policies SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policy DC17.1 (Telecommunications) of the Unitary Development Plan for the City of Manchester.

Consent is hereby granted in accordance with the following drawings and documents:

Drawings numbered 100 rev A, 201 rev A and 301 rev A

Cornerstone Community Information Sheet - 5G Services

Declaration of Conformity with ICNIRP Public Exposure Guidelines

Supplementary Information Document

All 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

LiDL, Unit A2, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
Unit B1, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
B&m, Unit B2 To B3, Elizabeth Street, Manchester, M8 8BB
Currys PC World, Unit C, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
USC, Unit A1, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
Cohens Chemist, 244 Cheetham Hill Road, Manchester, M8 8AU
Management Suite, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
1N Queens Road, Manchester, M8 8UQ
1M Queens Road, Manchester, M8 8UQ
1J Queens Road, Manchester, M8 8UQ
1H Queens Road, Manchester, M8 8UQ
1E Queens Road, Manchester, M8 8UQ
1D Queens Road, Manchester, M8 8UQ
1B Queens Road, Manchester, M8 8UQ
1A Queens Road, Manchester, M8 8UQ
McDonald's, 10 Queens Road, Manchester, M8 8UF
Unit 36, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
B&Q, Unit 1, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Cheetham Hill Medical Centre, 244 Cheetham Hill Road, Manchester, M8 8AU
1P Queens Road, Manchester, M8 8UQ
1K Queens Road, Manchester, M8 8UQ
1G Queens Road, Manchester, M8 8UQ
1F Queens Road, Manchester, M8 8UQ
1C Queens Road, Manchester, M8 8UQ
5 Queens Road, Manchester, M8 8UQ
27 Queens Road, Manchester, M8 8UQ
St Chads RC Primary School, Balmfield Street, Manchester, M8 0SP
9 Queens Road, Manchester, M8 8UQ
7 Queens Road, Manchester, M8 8UQ
31 Queens Road, Manchester, M8 8UQ
3 Queens Road, Manchester, M8 8UQ
29 Queens Road, Manchester, M8 8UQ
25 Queens Road, Manchester, M8 8UQ
23 Queens Road, Manchester, M8 8UQ
21 Queens Road, Manchester, M8 8UQ
19 Queens Road, Manchester, M8 8UQ
17 Queens Road, Manchester, M8 8UQ
15 Queens Road, Manchester, M8 8UQ
13 Queens Road, Manchester, M8 8UQ
11 Queens Road, Manchester, M8 8UQ
1 Queens Road, Manchester, M8 8UQ
14 Temple Square, Manchester, M8 8UP
13 Temple Square, Manchester, M8 8UP

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

Historic Landfill Site 250m Buffer -

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH1