

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126782/TEL/2020

Date registered valid: 23 April 2020

Proposal: Prior approval for the installation of a 20 m Monopole with associated wraparound cabinet at base, two equipment cabinets and associated ancillary works

Address: Footpath on the Eastern Side of Bury New Road (Opposite No 8 Bury New Road), Manchester, M8 8FW

Ward(s): Cheetham 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: Steven McCoombe
Tel: 0161 234 4607
Email: s.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 May 2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Standard consultations:

Printed: 28 April 2020 Expired: 19 May 2020

Neighbour notifications

Printed: 28 April 2020 Expired: 19 May 2020

Site notice

Posted: 7 May 2020 Expired: 28 May 2020

Press advert

Published: 5 May 2020 Expired: 26 May 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a section of footway situated on the eastern side of Bury New Road, between the junctions with Hornby Street and Sherborne Street.

The proposed site adjoins a brick boundary wall with metal railings above, which encloses the neighbouring car park associated with 'The Juice' – a development containing fashion wholesalers. The car park boundary is lined with large, evenly spaced trees along its perimeter.

On the opposite side of Bury New Road is a three storey terrace containing a variety of small-scale wholesale, retail and food and drink uses. The wider area is predominantly commercial in character.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated within the Strangeways area of Cheetham, named after HMP Strangeways which is situated just to the east.

Strangeways is situated at the northern edge of Manchester City Centre and contains two of the city's main arterial routes: Bury New Road and Cheetham Hill Road. The area acts as a gateway to both the city centre, and in the opposite direction, to north Manchester.

The site is situated defined by The Strangeways Local plan (2009) as 'The Workshop Village'. This is located on each side of Bury New Road and contains a mixture of large and small premises and commercial estates occupied by wholesalers, small-scale retail and distributors

involved predominantly in the textile, clothing, vaping products, information communications and technology sectors.

Description of development

Prior approval is sought for the installation of a 20 m Monopole with associated wraparound cabinet at its base, together with two further ground based equipment cabinets situated alongside the proposed mast, along with associated ancillary works, including the installation of underground services.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - 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.

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.

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.

Detail is sought on proposed installation arrangements from a highways perspective.

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.

Given the set of the proposed mast and cabinets away from the pavement edge and the relative screening provided by the neighbouring trees, it is not 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.

The site is located to a busy, main arterial route which leads to and from the city centre and given principally commercial backdrop of the immediate area, it is not believed the mast would form an overt or intrusive feature.

The mast is fairly slim-line in appearance and uncluttered by any associated dishes or antennas at its head. The proposed monopole will have a galvanised steel finish to reflect other nearby street furniture typical of an urban streetscape.

The proposed equipment cabinets are 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.

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 is considered satisfactory.

Access

The proposal is to be sited to prevent it causing an obstruction to the highway or to impede pedestrian movement. Highways are satisfied in this regard.

Impact on Health and Safety

The role of the planning system 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.

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 – Not 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 MAN 12557_M001-002, MAN 12557_M001-005, MAN 12557_M001-100, MAN 12557_M001-150, MAN 12557_M001-210, MAN 12557_M001-260, together with accompanying information received by the City Council as Local Planning Authority on 23 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

Beds Direct, Sherborne Street, Manchester, M8 8NE

Unit 7, Cheetham Business Park, Dewhurst Street, Manchester, M8 8FT

Unit 6, Cheetham Business Park, Dewhurst Street, Manchester, M8 8FT

Unit 5, Cheetham Business Park, Dewhurst Street, Manchester, M8 8FT

Unit 4, Cheetham Business Park, Dewhurst Street, Manchester, M8 8FT

Unit 3, Cheetham Business Park, Dewhurst Street, Manchester, M8 8FT

Unit 2, Cheetham Business Park, Dewhurst Street, Manchester, M8 8FT

Unit 1, Cheetham Business Park, Dewhurst Street, Manchester, M8 8FT

Millar GB Limited, 10 Hornby Street, Manchester, M8 8DQ

9 - 11 Bury New Road, Manchester, M8 8FW

1B Bury New Road, Manchester, M8 8FW

1A Bury New Road, Manchester, M8 8FW

17C Bury New Road, Manchester, M8 8FW

17B Bury New Road, Manchester, M8 8FW

17A Bury New Road, Manchester, M8 8FW

The Legendary Building, 18 - 22 Bury New Road, Manchester, M8 8FR

Ground Floor And First Floor, The Legendary Building, 18 - 22 Bury New Road, Manchester, M8 8EL

Juice Corporation, 16 Bury New Road, Manchester, M8 8EL

3 Bury New Road, Manchester, M8 8FW

19 Bury New Road, Manchester, M8 8FW

13 Bury New Road, Manchester, M8 8FW

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Benefitting From Flood Defences -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH1