MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126642/TEL/2020
Date registered valid:	1 April 2020
Proposal:	Prior approval for the installation of a 20 metre high telecommunication column with wraparound cabinet at base and associated ancillary works including installation of 4 additional equipment cabinets
Address:	Stockport Road, Manchester, M19 3AH
Ward(s):	Levenshulme Ward
Applicant:	Hutchinson 3G UK Ltd Star House, 20 Grenfell Road, Maidenhead, Berkshire, SL6 1EH
Agent (if any):	Damian Hosker WHP Telecoms Limited Helena House, Troy Mills, Troy Road, Leeds, LS18 5GN
Case officer:	Eve Woolstencroft Tel: 0161 234 4533 Email: eve.woolstencroft@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	17 June 2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 20 April 2020 Expired: 11 May 2020

Neighbour notifications
Printed: 26 May 2020 Expired: 16 June 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/Area

The proposal site related to the back of the pavement located on Stockport Road, the surrounding area is largely commercial properties some with residential uses above and is located within Levenshulme district centre. The installation would be sited in front of a forecourt/informal parking area relating to a single storey appliance store, the pavement along this stretch of Stockport road has existing street furniture including street light posts with a height of approx. 10 metres and street trees approx. 6 metres.

Description of Development

The submitted application seeks prior approval for the installation of a 20-metre-high telecommunication column with wraparound cabinet at base and associated ancillary works including installation of 4 additional equipment

Consultations & Notification Responses

Local Residents were notified and one response was received, comments made can be summarized as follows

The local resident objects to the proposal due to the following reasons:
-The mast is on the main road of the A6 and at 20m will be the tallest landmark in the area, taller than all surrounding buildings and the nearest church spire.

-The cabinets and supporting infrastructure are clutter on the highstreet and reduce an already restricted area of paving.
- It prevents the potential redevelopment of the plot adjacent to this as no windows/doors etc will be able to be open onto this area of pavement should a new development be made in line with the local plan.
-The design is low quality and not in keeping with the local area. It is industrial and overt.
-It will be the dominating and main feature of Levenshulme due to its central, overly tall design on the main thouroughfare within the central location of the district.
A better location would be within the Arcadia Car Park (also council owned land) next -to the railway, or in the station car park (also council owned land) adjacent the railway. Matthews Lanenear Nutsford vale.
-No objection to the mast, just the location

Ward Councillor - the same concerns raised within the objection letter from the local resident were also raised by a ward councillor

Highways - sought clarification as to the distance maintained between the proposed installation and the existing street lighting column. This distance was confirmed and is considered acceptable to highways.

Policy

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.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. I

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, the NPPF states that `at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: 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 or specific policies in this Framework indicate development should be restricted. Relevant sections of the NPPF to this application are:

Section 10 of the NPPF (Supporting high quality communications) states that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

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:-
-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.

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:-
-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, odours, litter, vermin, birds, 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.
-Vehicular access and car parking.
-Effects relating to biodiversity, landscape, archaeological or built heritage.
-Green Infrastructure including open space, both public and private.
-Existing or proposed hazardous installations.

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.

Unitary Development Plan
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 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.

Issues

Siting and Appearance

The proposal site is located on a Stockport Road, a busy A road, and within the Levenshulme district centre.

The size and scale of the proposed monopole is approx. 10 metres taller than the existing street lampposts along Stockport road and it is recognised that, due to the scale of the monopole and the open nature of the site it is likely to form a prominent feature within the street scene. The surrounding area is commercial in nature and the proposed mast would be sited in front of a single storey commercial premises which are occupied by an appliance store and timber merchant, which appear industrial in character due to the roof design and materials.

There are no residential uses immediately adjacent to the proposal site which is largely commercial character in character, including three large advertisement hoardings on the junction of the crescent and Stockport Road. Given the commercial backdrop of the site, it is not considered that the proposed installation would not have a detrimental impact on visual amenity in accordance with Core Strategy Policies DM1 and SP1 and UDP saved policy DC17.

With regards to the installation of the ancillary equipment, this would be permitted development according to the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016 A.1 due to the height under 15 metres.

Health and Safety

A document has been submitted stating that 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.

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 applicant has provided a site appraisal which includes discounted options and justification for the proposal site.

The following discounted options were considered:

- Cardus Street - E: 387435, N 394217. Site discounted due to pavement width and proximity to residential.

-Cromwell Grove - E: 387421, N 394256. Site discounted due to pavement width and proximity to residential.

-Yew Tree Avenue - E: 387368, N 394418. Site discounted due to pavement width.

-Stockport Road/Outside Sports Centre - E: 387377, N 394400. Site discounted due to existing street furniture and trees limiting space for equipment.

- Carrill Grove - E: 387362, N 394312. Site discounted due to pavement width and proximity to residential.

-Chapel Street - E: 387388, N 394217. Site discounted due to adjacent Levenshulme Village Garden.

-Elbow Street - E: 387476, N 394179. Site discounted due to adjacent new housing development.

During the consideration period the applicant was asked if consideration could be given to siting the proposed mast within the arcadia car park nearby to reduce the visual impact.

The applicant has stated that The New Telecoms Code has created issues between landowners and has slowed down the process and does not allow for the government's targets for connectivity to be met, therefore the apparatus must be deployed on the adopted highway not privately or publically owned land.

The concerns raised by the local resident and ward councillor have been considered and justification for the siting of the mast has been provided by the applicant. In this instance, the public benefits to provide 5G coverage to the surrounding area is considered to outweigh any harm to visual amenity.

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 polices 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 officers have worked with the agent in a positive and proactive manner regarding the scheme, appropriate conditions to the approval have also been attached.

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 residential amenity and 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. Therefore, consent is hereby granted in accordance with the information accompanying application referenced 126642/TEL/2020 stamped and received on the 01 April 2020:

-Application for prior notification forms;
-Location Plan, Site Plan and Elevations drawings referenced MAN10187_M001
-Supplementary Information

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

Environmental Health
Highway Services

866 Stockport Road, Manchester, M19 3DL
787A Stockport Road, Manchester, M19 3DL
1 Eltham Street, Manchester, M19 3AL
EVEREST DIY STORE, 854 - 856 Stockport Road, Manchester, M19 3AH
Flat 3, 2A Balleratt Street, Manchester, M19 3LP
Flat 2, 2A Balleratt Street, Manchester, M19 3LP
Flat 1, 2A Balleratt Street, Manchester, M19 3LP
Gnd Flr, 771 Stockport Road, Manchester, M19 3DL
Gnd Floor, 783 Stockport Road, Manchester, M19 3DL
Flat One And Two, 769 Stockport Road, Manchester, M19 3DL
Ground Floor Rear, 769 Stockport Road, Manchester, M19 3DL
Top Flat, 789 Stockport Road, Manchester, M19 3DL
1C Barlow Road, Manchester, M19 3DH
1B Barlow Road, Manchester, M19 3DH
1A Barlow Road, Manchester, M19 3DH
1A Eltham Street, Manchester, M19 3AL
Top Flat, 771 Stockport Road, Manchester, M19 3DL
Flat 1, 783 Stockport Road, Manchester, M19 3DL
Flat 2, 781 Stockport Road, Manchester, M19 3DL
Flat 1, 781 Stockport Road, Manchester, M19 3DL
Flat 4, 1 Barlow Road, Manchester, M19 3DH
Flat 3, 1 Barlow Road, Manchester, M19 3DH
Flat 2, 1 Barlow Road, Manchester, M19 3DH
Flat 1, 1 Barlow Road, Manchester, M19 3DH
Flat 2, 785 Stockport Road, Manchester, M19 3DL
Flat 1, 785 Stockport Road, Manchester, M19 3DL
Unit 5, The Crescent, Manchester, M19 3AJ
791A Stockport Road, Manchester, M19 3DL
799 Stockport Road, Manchester, M19 3DL
793 Stockport Road, Manchester, M19 3DL
781 Stockport Road, Manchester, M19 3DL
1 Barlow Road, Manchester, M19 3DH
769 Stockport Road, Manchester, M19 3DL
Flat 2, 783 Stockport Road, Manchester, M19 3DL
Flat 3, 777 Stockport Road, Manchester, M19 3DL
Flat 2, 777 Stockport Road, Manchester, M19 3DL
Flat 1, 777 Stockport Road, Manchester, M19 3DL
793A Stockport Road, Manchester, M19 3DL
783 Stockport Road, Manchester, M19 3DL
Levenshulme Dental Practice, 773 Stockport Road, Manchester, M19 3DL
791 Stockport Road, Manchester, M19 3DL
876 - 878 Stockport Road, Manchester, M19 3BP
785 Stockport Road, Manchester, M19 3DL
850 Stockport Road, Manchester, M19 3AH
797 Stockport Road, Manchester, M19 3DL
795 Stockport Road, Manchester, M19 3DL
789 Stockport Road, Manchester, M19 3DL
787 Stockport Road, Manchester, M19 3DL
777 - 779 Stockport Road, Manchester, M19 3DL

775 Stockport Road, Manchester, M19 3DL
771 Stockport Road, Manchester, M19 3DL

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
Area Team Boundary - Name: NORTH2