MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126675/TEL/2020
Date registered valid:	6 April 2020
Proposal:	Prior approval for the installation of a 20 metre high telecommunications column supporting 6 no. antennas, 2 no. transmission dishes, and ancillary development with 2 no. equipment cabins
Address:	Hyde Road, Opposite Junction With Chatsworth Road, Manchester, M18 8HE
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Clarke Telecom Ltd C/o Agent , , , ,
Agent (if any):	Mr James Nicol Pegasus Planning Group Ltd First Floor South Wing, Equinox North , Great Park Road, Almondsbury, Bristol, BS32 4QL
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: i.jarvis@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	28 May 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: 16 April 2020 Expired: 7 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

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to an area of pavement adjacent to a grass verge, on the northern side of Hyde Road, which is a main radial route connecting the city centre to east Manchester. The grass verge is located in front of petrol station filling station and other low level commercial buildings and the backdrop remains relatively open due to lack of any substantial trees. The site lies in Gorton District Centre, so the surrounding area largely comprises of shops and commercial premises with some residential uses.

The submitted application seeks prior approval for the installation of a 20 metre high telecommunications column supporting 6 no. antennas, 2 no. transmission dishes, and ancillary development with 2 no. equipment cabins.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highway Services - Make the following comments:

The monopole and all associated cabinets appear to be sited towards the back of the adopted footway. Highways are accepting in-principle of these proposals subject to the final positioning of all apparatus conforming to the minimum desirable clearance of 2m to adjacent street furniture and the edge of carriageway.

The siting of proposed apparatus and associated height of the monopole at this location is not considered detrimental either as a visual distraction or in terms of causing obstruction to adjacent street furniture, and on this basis is considered acceptable in-principle.

Strategic Area and Citywide Support Manager - No comments received.

Issues

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. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

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, paragraph 10 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.

The Framework has been related to the proposed development, with particular emphasis given to the following:

Section 10 Supporting high quality communications - The following paragraphs are considered to be relevant:

i. Paragraph 112 - States that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. It further states that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) connections. It is considered that the development would be appropriately related to this objective by upgrading the performance of mobile telephone network and its capacity.

ii. Paragraph 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. In the case, the site has accommodated masts and cabinets, and therefore the development would maintain this use, in an upgraded form to accord with the NPPF.

iii. Paragraph 115 - States that all 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.
In this case the applicant has provided a satisfactory explanation of the site selection and a ICNIRP declaration. The proposal has been related to clearly presented drawings and a supporting statement. It is considered that sufficient and satisfactory information has been provided.

The Core Strategy Development Plan Document 2012 -2027 ("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.
A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

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
- 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

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:
- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

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.

- 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.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC17 relates to telecommunications and 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.

Saved policy E3.3 relates to sites along radial routes, which includes Hyde Road, and seeks to ensure that all new development, along these routes, is of the highest quality.

Siting - It is noted that there are a number of street lighting columns, in the vicinity of the site along with some high level traffic directional signage. There are no other telecommunications masts in the immediate vicinity of the site limiting any potential for mast sharing.

The applicant has applied the sequential test to the provision of new and upgraded telecoms equipment, and is utilising the existing site in line with NPPF guidelines.

The applicants do not feel that there is an alternative suitable location and the new installation is considered the best technical and environmental solution which will enable the operator to address the current coverage deficiency in this area.

There are residential properties, in close proximity to the site, but the location does not have what might be considered a residential character, being within the District Centre, and it is not considered that the works would have a harmful visual impact upon the locality and it is considered that the proposed main road location is therefore acceptable in principle.

It is not considered that the new telecommunication monopole and cabinet will create clutter within the street scene, as there is already various street furniture along Hyde Road and within the immediate vicinity, of the site, and the siting of the works are considered to be acceptable.

In relation to highways a footway clearance of over 2 metres has been maintained and this is considered to be acceptable and it is not considered that this would unduly restrict the movement of wheelchair and buggy users.

Design - The proposal is for the siting of a new 20 metres high telecommunications column supporting 6 no. antennas, 2 no. transmission dishes, and ancillary development with 2 no. equipment cabins, which would have a height of approximately 1.5 metres. The mast would be of a galvanised steel, and the cabinets would be painted green to blend within the character of the surrounding street scene.

The proposed cabinets are of a simple square box/rectangular shape and the monopole is cylindrical and very similar to other telecommunications equipment within the vicinity and elsewhere in the City.

The design of the proposal is considered to be acceptable in this instance, and it is considered that it has been designed to blend in with the surrounding street scene and would not draw undue attention to itself.

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.

Compliance with ICNIRP legislation - A declaration of conformity with ICNIRP Public Exposure Guidelines has been submitted with the application 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. Further advice on health issues was previously provided in PPG8 which has now been replaced with the National Planning Policy Framework (February 2019) and the weight that this can be given to applications for telecom equipment.

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:

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 case the proposal was considered to be in accordance with City Council policy and no amendments were sought.

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.

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 dated 27 March 2020 (ref: CTIL_302967_TF_889973)
Supplementary Information Document (ref:CTIL_302967_TF_88973)

All received by the City Council as Local Planning Authority on 6 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).

Informatives

1) In the interests of providing appropriately for the continued safe and efficient movement of vehicles and pedestrians at this location, the applicant will be required to discuss and obtain prior agreement with the Council's Highways Applications and Network Resilience team (Tel. 0161 234 5004) before any installation work commences.

Operatives undertaking servicing / maintenance thereafter will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services

Roots Restaurant, 518 Hyde Road, Manchester, M18 7AA
2 Chatsworth Road, Manchester, M18 7AF
Car Wash Gorton Service Station, Thornbury Way, Manchester, M18 8HE
524A Hyde Road, Manchester, M18 7AA
Flat 2, 540 Hyde Road, Manchester, M18 7AA
Flat 1, 542 Hyde Road, Manchester, M18 7AA
544 Hyde Road, Manchester, M18 7AA
540 Hyde Road, Manchester, M18 7AA
35 Garratt Way, Manchester, M18 8HE
Gorton Service Station, Thornbury Way, Manchester, M18 7AA
Gorton Police Sub Station, Garratt Way, Manchester, M18 8HE
Flat 2, 522 Hyde Road, Manchester, M18 7AA
Aldi, Garratt Way, Manchester, M18 8HE
Flat 1, 540 Hyde Road, Manchester, M18 7AA
546 Hyde Road, Manchester, M18 7AA
Flat 4, 544 - 546 Hyde Road, Manchester, M18 7AA
Flat 3, 544 - 546 Hyde Road, Manchester, M18 7AA
Flat 2, 544 - 546 Hyde Road, Manchester, M18 7AA
Flat 1, 544 - 546 Hyde Road, Manchester, M18 7AA
Flat At 526, Hyde Road, Manchester, M18 7AA
Flat 5, 536 - 538 Hyde Road, Manchester, M18 7AA
Flat 2, 542 Hyde Road, Manchester, M18 7AA
542 Hyde Road, Manchester, M18 7AA
536 - 538 Hyde Road, Manchester, M18 7AA
Flat 1, 522 Hyde Road, Manchester, M18 7AA
KFC Ltd, Garratt Way, Manchester, M18 8HE
Flat 4, 536 - 538 Hyde Road, Manchester, M18 7AA
Flat 3, 536 - 538 Hyde Road, Manchester, M18 7AA
Flat 2, 536 - 538 Hyde Road, Manchester, M18 7AA
Flat 1, 536 - 538 Hyde Road, Manchester, M18 7AA
546C Hyde Road, Manchester, M18 7AA
Electronic Alarms (UK) Ltd, 522 Hyde Road, Manchester, M18 7AA
520 Hyde Road, Manchester, M18 7AA
546D Hyde Road, Manchester, M18 7AA
546B Hyde Road, Manchester, M18 7AA
546A Hyde Road, Manchester, M18 7AA
524 Hyde Road, Manchester, M18 7AA
534 Hyde Road, Manchester, M18 7AA
1 Chatsworth Road, Manchester, M18 7AF
528 Hyde Road, Manchester, M18 7AA
526 Hyde Road, Manchester, M18 7AA

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: NORTH2