

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126697/TEL/2020

Date registered valid: 9 April 2020

Proposal: Installation of a 20 metres high telecommunication monopole equipped with six antennas, two transmission dishes and three remote radio units together with associated 2no. equipment cabinets

Address: Western Pavement Opposite Fair Oak Road/ Burnage Lane, Manchester, M19 1FG

Ward(s): Burnage Ward

Applicant: Clarke Telecom Ltd, C/o Agent

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

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: r.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 May 2020

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: Due to the Covid 19 Pandemic it was not possible to visit the property to undertake site photos. Images have been taken from google earth and street view.

Standard consultations:

Printed: 21 April 2020 Expired: 12 May 2020

Neighbour notifications

Printed: 21 April 2020 Expired: 12 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



The application site relates to the footpath on Burnage Lane close to the junction with Fair Oak Road. To the rear of the site is Burnage Academy and on the opposite side are residential dwellings.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature and contains both a primary and a secondary school.

Description of development

The applicant is seeking prior approval to install a 20 metres high telecommunication monopole equipped with six antennas, two transmission dishes and three remote radio units together with associated 2no. equipment cabinets

Consultations & Notification Responses

Local residents/public opinion – Three representations were received objecting to the proposal. A summary of their concerns are as follows:

- Objection to its position in front of a school and near to residential properties;
- Elderly people use the footpath;
- The proposal will cause noise and disturbance;
- Dissatisfaction of a planning application during Covid 19 Pandemic.

Highway Services – No objection sought confirmation that the footpath clearance would be a minimum of 2 metres.

Cadent Gas – No objection raised awareness of gas apparatus near the site.

Issues

Core Strategy

The relevant Core Strategy Policies are SP1 and DM1

Policy SP1 sets down the spatial principles that will guide development in the City including the creation of neighbourhoods of choice.

Policy DM1 Seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DC17

Policy DC17 says that 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. Wherever possible the Council will expect the potential of existing buildings and masts, including sharing such facilities, to be fully explored before agreeing to additional separate development.

National Planning Policy Framework

The NPPF, para. 112 states: 'Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.'

Para 113 continues: '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.'

Para 116 clarifies 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.'

UK Digital Strategy

In March 2017, the UK Digital Strategy was published by the Department for Digital, Culture, Media & Sport. The strategy is directly relevant to this proposal...

'Broadband and mobile must be treated as the fourth utility, with everyone benefiting from improved connectivity. This will play a crucial role in ensuring that everyone, wherever they live and however they connect, can make full use of digital services and benefit from participation in the digital economy. Improved connectivity also increases innovation and productivity across the economy, bringing significant economic rewards' '5G is the next generation of mobile connectivity, and is currently in development. It is expected to represent a significant upgrade: providing ultrafast, low latency, and more reliable mobile connectivity, able to handle our ever-increasing data requirements. This should present huge opportunities to boost productivity and grow the economy. In addition to giving consumers and business users high quality connectivity, it will also support the development of the Internet of Things: the rapidly-increasing number of connected devices, from connected cars to digital health applications.'

Issues

Principle

The Council supports the principle of improving telecommunications coverage within the City, however, in doing so it seeks to ensure that the amenity of residents is not impacted upon to an unacceptable degree.

The proposal falls within Part 16, Class A - 'Electronic communications code operators', of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This requires that Local Planning Authorities assess whether prior approval is required for the siting and appearance of the development.

Siting and Appearance

As described the site is located next to a school playing field and residential dwellings. In terms of street furniture there are examples of other cabinets near to the site, a bus stop shelter and street lights. The street lights are approximately 10 metres tall and the proposed mast would be double the height at a height of 20 metres. Therefore there will be some visual impact of it

setting given the distance of the respective school building and height of the existing street lights there will be nothing taller than the mast. However, there are two other existing telecoms masts within 250 metres of the site which are also taller than the existing street lamps therefore a 20 metre high mast with associated cabinets will not be out of keeping with the surrounding scale and appearance of the street scene. The mast and cabinets will be located close to the boundary fence with the school playing field and provided a minimum of 2.17metres footpath clearance.

Highway Services have commented that the proposals would not cause a distraction to passing vehicles, and would not give rise to forward visibility issues.

Given the context of the existing installation and the nature of the surrounding environment, the siting and appearance of the proposal is considered satisfactory.

Highways Services have not raised any concerns with the proposal and Aerodrome Safeguarding have requested an informative regarding the use of cranes in proximity to the airport.

The proposal is therefore considered to be in accordance with saved policy DC17.1, DM1 and SP1 of the Core Strategy, NPPF and GPDO

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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC17.1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

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

1) The City Council as local planning authority 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 of the Unitary Development Plan for the City of Manchester and the revised National Planning Policy Framework (Feb 2019). The approval hereby provided shall ensure the installation be carried out only in accordance with the following submitted information and documents stamped as received on 09 April 2020:

- a) Location plan and elevation/site layout drawings reference: 100 Revision A, 201 Revision A and 301 Revision A
- b) Declaration of Conformity with ICNIRP Public Exposure Guidelines dated 02 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 (2012), saved policy DC17.1 of the Unitary Development Plan for the City of Manchester (1995) and the revised National Planning Policy Framework (Feb 2019).

Informatives

1) In the interests of providing appropriately for the continued safe and efficient movement of vehicles and pedestrians at this location, cognisant of the adjacent school, access markings and operational bus stops, 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 prevailing local parking and movement restrictions.

2) Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

Appendix 1 – List of consultees & neighbours notified

Highway Services

431 Burnage Lane, Manchester, M19 1EA
393 Burnage Lane, Manchester, M19 1DG
433 Burnage Lane, Manchester, M19 1EA
1 Fair Oak Road, Manchester, M19 1DT
397 Burnage Lane, Manchester, M19 1DG
4 Fair Oak Road, Manchester, M19 1FR
2 Fair Oak Road, Manchester, M19 1FR
405 Burnage Lane, Manchester, M19 1FG
Burnage Media Arts College, Burnage Lane, Manchester, M19 1ER
Green End Primary School, Burnage Lane, Manchester, M19 1DR
3 Fair Oak Road, Manchester, M19 1DT
School Bungalow, 418 Burnage Lane, Manchester, M19 1ER
439 Burnage Lane, Manchester, M19 1EA
437 Burnage Lane, Manchester, M19 1EA
435 Burnage Lane, Manchester, M19 1EA
429 Burnage Lane, Manchester, M19 1EA
395 Burnage Lane, Manchester, M19 1DG
427 Burnage Lane, Manchester, M19 1FG
403 Burnage Lane, Manchester, M19 1FG
401 Burnage Lane, Manchester, M19 1FG

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: SOUTH