

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142444/TEL/2025

Date registered valid: 17 March 2025

Proposal: Prior Approval for the installation of a telecommunications base station comprising a 20 metre high streetworks column, associated antennas, 1 no. GPS module on top of the column, 2 no. dish antennas, associated 3 no. equipment cabinets and 1 no. meter cabinet and ancillary works.

Address: Adopted Footway New Bank Street, North Of The Junction With Dillon Drive, Manchester, M12 4TN

Ward(s): Ardwick Ward

Applicant: Cornerstone

Agent (if any): Mr Paul Street, Galliford Try Digital Infrastructure

Case officer: Jake Walther
Tel: 0161 234 1632
Email: jake.walther@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29/04/2025

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 02/04/2025

Standard consultations:

Printed: 19 March 2025 Expired: 9 April 2025

Neighbour notifications

Printed: 19 March 2025 Expired: 9 April 2025

Site notice

Posted: 02/04/2025 Expired: 23/04/2025

Press advert

Published: 25 March 2025 Expired: 8 April 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The proposal relates to the public pavement on New Bank Street.



Listed building: Not applicable

Conservation area: Not applicable

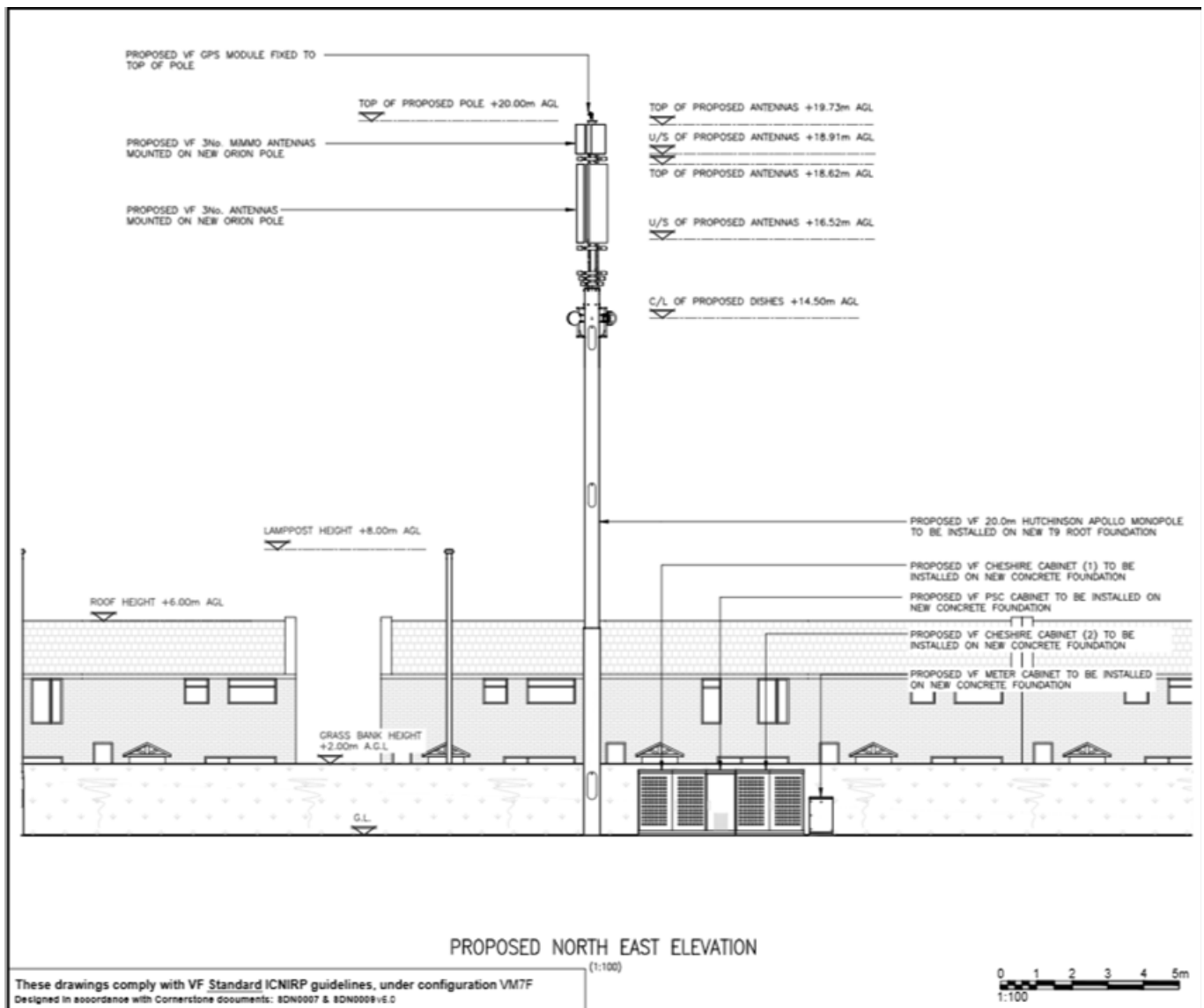
Tree Preservation Order: Not applicable

Description of area

This section of New Bank Street runs parallel to both the Northern Trains depot and a public greenspace, beyond that there is Martindale Crecent with residential houses. The area is mixed in nature, with industry to the north and east of the site and residential to the west.

Description of development

Prior Approval for the installation of a telecommunications base station comprising a 20-metre-high street works column, associated antennas, 1 no. GPS module on top of the column, 2 no. dish antennas, associated 3 no. equipment cabinets and 1 no. meter cabinet and ancillary works.



Consultations & Notification Responses

Highways – No objection to the proposal recommending several informatives to be attached to any approval.

Network Rail – No objection recommends an informative to be attached to any approval.

Site Notice and Press Advertisement – 2no. objections received (1 from an address in Bangor, Wales and 1 from an address in Dorking, Surrey), objection concerns can be summarised as:

- Legal and Procedural Issues

- Sitting and Appearance
- Health and Wellbeing
- Environmental Impact
- Noise and Nuisance
- Policy and Compliance
- Proximity to houses and schools

Policies

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 30m above ground level on unprotected land. These permitted development rights remove the need to submit a full planning application but rather require a 'prior approval' 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 118 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.

Further, the public benefits of a greatly enhanced communications network for businesses and residents alike in this location, would qualify as a considerable positive that would contribute to the wider economic output of the area, as well as social improvements.

In light of the above, 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.

Sitting 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 vertical emphasis provided by street lighting columns along New Bank Street.

The introduction of a tall structure will always to some degree be noticeable, particularly to passers-by and nearby occupiers. This does not necessarily 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 proposed design is typical of this form of mast and related equipment. Its height and composition would be appropriate in the context of the application site.

Whilst the proposal will be visible from residential properties on Martindale Crescent, the backdrop of the railway servicing yard shed/facilities together with the open context of the immediate area ensures the proposed installation will not appear overly incongruous.

As such, it is not considered that the proposed mast and associated equipment would not form overly intrusive features, nor would there be any significantly harmful impact upon the character and appearance of the area.

Impact on Health and Safety

Representations have been received on public access from the wider public in which concerns are raised about the impact to human health as a consequence of the proposed installation, as well as the impact to health due to the location of nearby residential dwellings.

The role of the planning system however 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.

Access

As the proposed mast and associated cabinets will be placed on a public right of way, they have been positioned to the rear of the pavement to ensure they do not block the path outright and still allow for 1790mm of clearance on the pavement at the narrowest point. This is considered to be satisfactory. Furthermore, Highways do not object to positioning of the proposal on the public right of way.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

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

1. 5-year time limit

The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Schedule 2, Part 16, Class A of the General Permitted Development Order 2015.

2. Removal

Removal when not required any electronic communications apparatus provided in accordance with that permission is removed from the land or building on which it is situated, as soon as reasonably practicable after it is no longer required for electronic communications purposes; and such land or building is restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.

Reason - Required to be imposed pursuant to Schedule 2, Part 16, Class A of the General Permitted Development Order 2015

3. Specified plans

The development must, except to the extent that the local planning authority otherwise agrees in writing, be carried out— where prior approval has been given as mentioned in sub-paragraph (8)(b)(i), in accordance with the details approved

- Application form – Received 17 March 2025
- Location Plan – Reference 100D – Received 17 March 2025
- Proposed Elevation – Reference 300D – Received 17 March 2025
- Proposed Site Plan – Reference 200D – Received 17 March 2025

Reason - Required to be imposed pursuant to Schedule 2, Part 16, Class A of the General

Informative

1. Highways:

Should there be any basement excavations proposed adjacent to the highway structural drawings and calculations for the temporary and permanent support works must be submitted for checking, for a fee, to MCC Bridges/Structures Section via Email highways.structures@manchester.gov.uk.

Operatives undertaking installation / servicing / maintenance will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions. Detail is sought on proposed installation arrangements from a highways perspective.

The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to:

highwaylicences@manchester.gov.uk

The applicant is required to discuss and agree any requirements for temporary traffic and pedestrian management with MCC's Event and Traffic Management Team via Email to

highwaynetworkmanagement@manchester.gov.uk

2. Network Rail:

RAMS, crane and plant use and excavation and earthwork within 10m of the railway boundary on site must be agreed with Network Rail.

All new enquiries will need to be submitted via the Asset Protection and Optimisation - Customer Portal - Link to ASPRO ACE Portal - ASPRO Network Rail Implementation (oraclecloud.com)

Appendix 1 – List of consultees & neighbours notified

Highway Services
Network Rail

56 Martindale Crescent, Manchester, M12 4WQ
54 Martindale Crescent, Manchester, M12 4WQ
Manchester Breakdown, New Bank Street, Manchester, M12 4TN
62 Martindale Crescent, Manchester, M12 4WQ
68 Martindale Crescent, Manchester, M12 4WQ
50 Martindale Crescent, Manchester, M12 4WQ
Yard C, New Bank Street, Manchester, M12 4TN
3 Chipstead Avenue, Manchester, M12 4UR
1 Chipstead Avenue, Manchester, M12 4UR
86 Martindale Crescent, Manchester, M12 4WQ
84 Martindale Crescent, Manchester, M12 4WQ
82 Martindale Crescent, Manchester, M12 4WQ
80 Martindale Crescent, Manchester, M12 4WQ
76 Martindale Crescent, Manchester, M12 4WQ
74 Martindale Crescent, Manchester, M12 4WQ
72 Martindale Crescent, Manchester, M12 4WQ
70 Martindale Crescent, Manchester, M12 4WQ
66 Martindale Crescent, Manchester, M12 4WQ
64 Martindale Crescent, Manchester, M12 4WQ
60 Martindale Crescent, Manchester, M12 4WQ
58 Martindale Crescent, Manchester, M12 4WQ
52 Martindale Crescent, Manchester, M12 4WQ
48 Martindale Crescent, Manchester, M12 4WQ
Yard D, New Bank Street, Manchester, M12 4HW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA