

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140999/TEL/2024

Date registered valid: 11 September 2024

Proposal: Prior Approval for the installation of 20-metre-high telecommunication monopole, 6no. antenna, 1no. 0.3m dish, 3no. cabinets, 1no. meter cabinet, 3no RRUs and ancillary development thereto.

Address: Pavement adjacent to 209 Bury New Road, M8 8DU

Ward(s): Cheetham Ward

Applicant: Cornerstone

Agent (if any): Niamh Mullan, WHP Telecoms Ltd

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 October 2024

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 13 September 2024

Standard consultations:

Printed: 13 September 2024 Expired: 4 October 2024

Neighbour notifications

Printed: 13 September 2024 Expired: 4 October 2024

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 and surroundings

The application site relates to an area of public footway situated on the eastern side of Bury New Road, just north of the junction with Pegwell Drive.

The site is located immediately to the front of Machine Mart – a specialist tool retailer occupying a single storey building. The building incorporates a forecourt area separated from the footway by bollards.



View of the application site looking southwards towards the city centre

This section of Bury New Road is largely commercial in nature, comprising of low-rise warehouses, showrooms and a gym. Immediately to the north is a car hire business.



View of site from opposite side of Bury New Road.

The side roads off Bury New Road are predominantly residential in character, mainly comprising two storey dwellinghouses



View of site looking northwards from Pegwell Drive

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Prior Approval is sought for the installation of a 20-metre-high telecommunication monopole, with 6no. antenna, 1no. 0.3m dish, 3no. cabinets, 1no. meter cabinet, 3no RRUs and ancillary equipment, to be sited on the pavement outside Machine Mart.

The proposed mast is of grey, galvanised appearance, designed to assimilate with the existing streetlights.

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. Highways require an unobstructed clearance of 2m (at a minimum) to any adjacent street furniture, and the edge of carriageway. 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.

Planning History

None.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policies E.3 and DC17.1 of the UDP;
- Policies DM1, EC6 and SP1 of the Manchester 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 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.

Within a letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Support, dated 24 May 2021, the Government is clear that digital connectivity is considered now, more than ever – vital to enable people to stay connected and businesses to grow. The demand for mobile data is increasing rapidly, and the COVID-19 pandemic has highlighted how important it is that we all have access to reliable, high quality mobile connectivity.

It is stated further that The National Planning Policy Framework (“the Framework”) for England states that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology, such as 5G.

The Framework is clear that decisions on applications should be made as quickly as possible, and within statutory timescales. Local planning authorities must determine applications on planning grounds only and they should not seek to prevent competition between different operators or question the need for an electronic communications system.

In this case, given the prevailing policy and Government support for telecommunication installations, together with consideration of the siting and appearance of the proposed installation, the principle of the proposed installation is considered satisfactory.

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.

Given 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.

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 vertical emphasis provided by street furniture along Bury New Road.

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 proposal has undergone a sequential site selection, with the current proposal representing the best fit when balancing siting against coverage requirements. The proposed installation would 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.

Given the prevailing backdrop, together with relatively open context of the immediate streetscape, the proposed installation can be satisfactorily assimilated without any significant undue impact to visual amenity.

Bury New Road is a busy, main arterial route linking Bury to Manchester and hosts a high level of street furniture without causing an adverse impact on the street scene. The introduction of the proposed installation when seen in the context of existing street lighting columns, totem sign and telegraph pole is considered less than intrusive and would integrate into the street-scene without any significant visual impact or concerns regarding clutter.

The proposed monopole is positioned to the centre apex of Machine Mart and in between facing windows of the business so not to be in a direct line of sight. The positioning would also maximise the screening provided by the commercial building which separates the Bury New Road frontage from residential properties behind to the west.

The closest residential property is approximately 40 metres from the proposed application site, along Pegwell Drive. Given the separation distance, intervening commercial foreground and tree cover, any visual impact would be reduced to an acceptable level.



View of the site looking to the south and showing the openness of the host road and the vertical emphasis provided by existing street furniture and tall buildings beyond

In light of the above, it is felt that taking into account the technical constraints and needs of the operator, available site consideration and the immediate environmental context of the area, the siting and appearance of the proposal can be satisfactorily accommodated without significant, adverse impact to visual amenity. It is not considered that the proposed mast and associated equipment would form overly intrusive features, nor would there be any significantly harmful impact upon the character and appearance of the area.

Access

The proposed installation is sited at the back of the public footway and would allow a sufficient pavement width for pedestrians to safely pass.

The proposal ensures that pedestrian movement is not impeded in accordance with Department for Transport (DfI) Manual for Streets (MfS) 2007. The development is set back close to the

existing bollards and in line with the existing streetlight. A suitable passing distance for wheelchair and pram users would remain and the proposed installation is also sited away from tactile paving and crossing points.

Impact on Health and Safety

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.

It should also be noted that within the recent letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Support, dated 24 May 2021, it is stated that the Government's independent advisers on matters of public health, are clear that there is no credible evidence of a negative impact of mobile technology, including 5G on people's health. Central to PHE's advice are the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), which is formally recognised by the World Health Organisation.

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) The City Council is satisfied with the siting and appearance of the proposed telecommunication installation, in accordance with 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 referenced 100/A, 201/A, 300/A and 301/A, received by the City Council as Local Planning Authority on 11 September 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policy DC17.1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Salford City Council

218 Bury New Road, Manchester, M8 8DY
186 Bury New Road, Manchester, M8 8DY
199 Bury New Road, Manchester, M8 8DY
229-241 Bury New Road , Salford, Manchester, M8 8DY
26 Pegwell Drive Salford , M7 2ZW
22 Pegwell Drive Salford , M7 2ZW
24 Pegwell Drive Salford , M7 2ZW
20 Pegwell Drive Salford , M7 2ZW

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
Flood Zones Type 2 (low to medium risk) -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA