MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141393/TEL/2024
Date registered valid:	28 October 2024
Proposal:	Prior Aprpoval for the installation of a 20 metre high telecommunication monopole, 6no. antenna, 1no. dish, 3no. cabinets, 1no. meter cabinet and ancillary development thereto.
Address:	Pavement Adjacent To St Clares RC Church, Victoria Avenue, Manchester
Ward(s):	Higher Blackley Ward
Applicant:	Cornerstone
Agent (if any):	Niamh Mullan
Case officer:	Ellie Knowles Tel: 0161 219 6633 Email: ellie.knowles@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**20 December 2024**

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 15 November 2024

Standard consultations:
Printed: 29 October 2024 Expired: 19 November 2024

Neighbour notifications
Printed: 29 October 2024 Expired: 19 November 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/area

The application site relates to an area of grassed verge located directly to the front of St. Clare's R.C. Church on Victoria Avenue, Higher Blackley. St Clares RC Primary School and associated playground curtilage boundary is sited circa 7.5m away to the northeast. Opposite the site is a parade of terraced properties with commercial units at ground floor and deep forecourt.



Proposed 5G pole and ancillary cabinets identified with red indicative sketch (not to scale)

This amenity area is bordered by the public footpath to the front and sides, alongside the church hardstanding/driveway to the rear.

In the immediate vicinity (grassed verge) there is an existing CATV Cabinet, streetlight and oversailing speed camera apparatus, within 0.2-7.4m of the proposal. Alongside an existing Rowan tree and sapling sited directly west, which are considered positive attributes to the area.

The area relates to Higher Blackey, which lies to uppermost northern area of the Manchester City Council jurisdiction. The immediate area is characterised by a mix of residential, ecclesiastical, commercial uses. Victoria Avenue (A6104) is a main road providing connectivity between the areas Higher Blackley, Blackley and White Moss.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

The development relates to the installation of a 20-metre-high telecommunication monopole, 6no. antenna, 1no. dish, 3no. cabinets, 1no. meter cabinet and ancillary development thereto, to facilitate 5G network coverage.

Consultations & Notification Responses

Local responses
None

Consultee responses

Highway Services –

Sufficient carriageway clearance is being provided and sufficient footway width is being maintained by using part of the grassed verge. This is to be in agreement, and with the relevant permissions, from the landowner.

The final positioning of apparatus should maintain the minimum desirable clearance of 2m 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.

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

Highways have concerns that during installation, and for ongoing maintenance requirements, there will be disruption caused to Victoria Avenue. This will likely generate local traffic and congestion issues, on a key, heavily-trafficked route. Highways requests that installation and

servicing take place at a time that is suitable with, and in consultation with, the local school and local community.

Detail is sought on proposed installation arrangements from a highways perspective.

Local Planning Policies

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Places for Everyone** policies for this application are as follows:

JP-S1 – Sustainable Development
JP-C2 – Digital Connectivity

The relevant **Core Strategy** policies for this application are as follows:

DM 1 – Development Management
SP 1 – Spatial Principles (partially superseded by PfE)

The relevant saved **UDP** policies for this application are:

DC17 – Telecommunications

National Planning Policy Framework

The NPPF (December 2024) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 2 – Achieving sustainable development
- Section 10 – Supporting high quality communications

Paragraph 120 – 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. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Paragraph 122 – 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. This should include:

a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and
b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or
c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

General Permitted Development Order

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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.

Issues

Principle of development:

The principle of development is not subject to consideration in a prior approval application since this has been established by virtue of the GDPO.

Notwithstanding this, the proposal would provide 5G telecommunication equipment which is important in terms of improving technology in this part of the city as part of supporting economic growth and digital poverty. However, this benefit would not be outweighed in this instance by the visual harm of the equipment which would appear prominent and overbearing in the street scene due to its siting, scale and exacerbation of visual clutter in the street scene.

Impact on visual amenity and the streetscene:

The proposal would introduce a 20 metre high slimline pole with 3no. cabinets and 1no. meter cabinet all of which would be finished in grey. They would be sited in the area of grassed verge outside the St. Clare's R.C. Church, sat behind the public footpath to the front and church hardstanding/driveway to the rear. Circa 7.5m to the northwest is the curtilage boundary to St Clares RC Primary School and playground.

The proposal would be located within the grassed verge, and with the paved area to the front, would have the appearance of being in the centre of the relatively open area. The mast and

accompanying cabinets would therefore appear as a prominent and imposing addition to the street scape.

Within the immediate vicinity of the proposal there is existing street furniture, including a lamppost, CATV cabinet and highway oversailing speed camera apparatus. In addition, one Rowan tree and sapling is sited adjacent within the verge.

The building to the rear, is ecclesiastical in nature, with symmetrical two storey façade (approx. 13m in height). The proposed mast would exceed this property in height by approx. 7m, which with the additional bulk at its highest point would appear excessive in scale when viewed in relation to the existing buildings and create clutter with the presence of the existing street furniture.

The LPA consider that the siting and appearance of the proposed development would result in unacceptable harm to the character and appearance of the area. Insofar as they are a material consideration, it would conflict with Policies SP1 and DM1 of the CS and Policy DC17 of the UDP which together amongst other matters seek to ensure that development is appropriate in siting, scale and appearance and has regard to the character of the area.

Impact on Highway and Pedestrian Safety:

The installation would be sited within an existing grassed verge, separate from the public footway, with sufficient 2m clearance from the back of the highway, Victoria Avenue, and there are no objections from Highway Services.

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 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: Refuse

Article 35 Declaration
Officers have communicated their concerns about this proposal to the applicant during the course of the planning application. This has included discussions about the acceptability of the proposals. Unfortunately, the issues with this application couldn't be resolved within the remit of this prior approval. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner resolved.

Reasons for recommendation to refuse

1) The City Council is not satisfied that this development has been sited and designed to minimise the impact upon the visual amenity of the area. The proposed telecommunication installation by reason of its height, siting, appearance and cumulative visual impact when read in conjunction with the proliferation of existing street furniture in this location, would form a visually intrusive and dominant feature, that would exacerbate visual clutter, which in turn would be harmful to the visual amenity of the area and in particular the appearance of the street-scene. As such, the proposed installation is considered contrary to saved policies DC17.1 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy and the guidance contained within chapter 10 of National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services

203A Victoria Avenue, Blackley, Manchester, M9 0RA
203 Victoria Avenue, Blackley, Manchester, M9 0RA
231 Victoria Avenue, Blackley, Manchester, M9 0RA
229 Victoria Avenue, Blackley, Manchester, M9 0RA
227 Victoria Avenue, Blackley, Manchester, M9 0RA
225 Victoria Avenue, Blackley, Manchester, M9 0RA
221 Victoria Avenue, Blackley, Manchester, M9 0RA
219 Victoria Avenue, Blackley, Manchester, M9 0RA
217 Victoria Avenue, Blackley, Manchester, M9 0RA
215 Victoria Avenue, Blackley, Manchester, M9 0RA
213 Victoria Avenue, Blackley, Manchester, M9 0RA
188 Victoria Avenue, Blackley, Manchester, M9 0RR
St Clares Rc Secondary School Playing Fields, Boothroyden Road, Manchester, M9 0RR
195 Victoria Avenue, Blackley, Manchester, M9 0RA
211A Victoria Avenue, Blackley, Manchester, M9 0RA
211 Victoria Avenue, Blackley, Manchester, M9 0RA
197A Victoria Avenue, Blackley, Manchester, M9 0RA
207 Victoria Avenue, Blackley, Manchester, M9 0RA
Flat At, 193 Victoria Avenue, Blackley, Manchester, M9 0RA
Top Flat, 201 Victoria Avenue, Blackley, Manchester, M9 0RA
Flat Above, 189 Victoria Avenue, Blackley, Manchester, M9 0RA
189 Victoria Avenue, Blackley, Manchester, M9 0RA
St Clares RC Primary School, Victoria Avenue, Blackley, Manchester, M9 0RR
199 Victoria Avenue, Blackley, Manchester, M9 0RA
13 Boothroyden Road, Manchester, M9 0RG
Top Flat, 209 Victoria Avenue, Blackley, Manchester, M9 0RA
193 Victoria Avenue, Blackley, Manchester, M9 0RA
183 - 187 Victoria Avenue, Blackley, Manchester, M9 0RB
205 Victoria Avenue, Blackley, Manchester, M9 0RA
197 Victoria Avenue, Blackley, Manchester, M9 0RA
191 Victoria Avenue, Blackley, Manchester, M9 0RA
209 Victoria Avenue, Blackley, Manchester, M9 0RA
201 Victoria Avenue, Blackley, Manchester, M9 0RA
200 Victoria Avenue, Blackley, Manchester, M9 0RR
196 Victoria Avenue, Blackley, Manchester, M9 0RR
192 Victoria Avenue, Blackley, Manchester, M9 0RR
190 Victoria Avenue, Blackley, Manchester, M9 0RR
182 Victoria Avenue, Blackley, Manchester, M9 0LR
St Clares Friary, Victoria Avenue, Blackley, Manchester, M9 0LR
202 Victoria Avenue, Blackley, Manchester, M9 0RR
198 Victoria Avenue, Blackley, Manchester, M9 0RR
194 Victoria Avenue, Blackley, Manchester, M9 0RR
180 Victoria Avenue, Blackley, Manchester, M9 0LR
9 Ardcombe Avenue, Manchester, M9 0SR
8 Ardcombe Avenue, Manchester, M9 0SR
9 Boothroyden Road, Manchester, M9 0RG
3 Boothroyden Road, Manchester, M9 0RG
11 Boothroyden Road, Manchester, M9 0RG
1 Boothroyden Road, Manchester, M9 0RG
10 Ardcombe Avenue, Manchester, M9 0SR

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA