

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141447/TEL/2024

Date registered valid: 5 November 2024

Proposal: Prior Approval for installation of 20 metre high telecommunication mast with 6 antennas, 1 dish, 4 equipment cabinets and ancillary equipment

Address: Pavement Area Adjacent To 164 Middleton Road, Manchester,

Ward(s): Crumpsall Ward

Applicant: Cornerstone

Agent (if any): Miss Caitlyn Richmond, WHP Telecoms Ltd

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20 December 2024

Application details

Type of application: Telecommunication Application

Development type: Notifications

Standard consultations:

Printed: 7 November 2024 Expired: 28 November 2024

Neighbour notifications

Printed: 7 November 2024 Expired: 28 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

This application relates to a wide paved area, approximately 14 metres wide between the front boundary of 164 Middleton Road and the back of pavement, on Middleton Road. This expanse of pavement runs between nos. 146 to 164, gradually tapering down to approximately 9 metres wide in front of no. 146. The Metrolink line runs to the north of the site, with the Bowker Vale Station stop, on the opposite side of Middleton Road, and a 15 metre wide enclosed railway embankment between the application site and the Metrolink Line. There is a bus stop, adjacent to Middleton Road and this embankment. Otherwise this part of Middleton Road is mostly residential.

The submitted application seeks prior approval for the installation of a 20 metre high telecommunications monopole with 6 antennae and a 300mm transmission dish, with 4 associated equipment cabinets. All the works would be positioned close to the embankment boundary fencing with the monopole closest to the bus stop and the cabinets positioned between the monopole and the front boundary of no.164, with the nearest one being approximately 2.5 metres from the property boundary. The monopole would be silver-grey in colour and the cabinets would be green in colour.

Consultations & Notification Responses

Local residents - Two objections have been received, from local residents, one of which was from the occupiers of the adjacent property, no. 164 Middleton Road, who object for the following reasons:

- The mast would be just 3 metres from their home.

- There are two masts already installed nearby and there is adequate mobile phone coverage in the area. Is a third one really needed?
- It would be close to sensitive receptors, such as trees, houses and parks.
- They can and should find a more suitable site.
- Six in situ studies published in 2023 show onset of severe health symptoms occur within a few days of 5G Radiofrequency radiation (RFR). These include blood pressure disorder, dizziness, fatigue, tinnitus and insomnia. The resident indicated that both occupiers already have poor health conditions.
- The science shows that RFR from masts can cause or contribute to various health issues, so they are worried that their health will deteriorate even more. They are also very worried the effect it will have on their grandchildren.
- The mast is overbearing and incongruous with the surrounding area. There is also evidence that the emissions from masts are a pollutant which cause adverse health effects, beyond the effects which are recognised in the UK adopted ICNIRP guidelines. Despite the policy to only consider ICNIRP under NPPF para 118, it is important to make an evidence-based determination of the material planning consideration 'incompatible and unacceptable use' of land under NPPF para 185. 1999/519/EC: Council Recommendation (19) and the 2018 EECC code, transposed into Law in Dec 2020, both clearly state that public health is an imperative and competent authorities should be reconciling the risks. In view of the mounting evidence of harm and any uncertainty, please apply precaution and refuse this mast.
- Due to the siting issue the value of their home will deteriorate.

A second objection has been received, from a local resident, for the following reasons:

- Why another large eye sore? There are already a number of telecoms masts and antennas/dishes nearby along Middleton Road. Notwithstanding health concerns regarding increased radiation. They state that they have spoken to other residents who also object to this proposal.

Highway Services - Makes the following comments:

Sufficient carriageway clearance is being provided and sufficient footway width is being maintained by using part of the adopted land, this is to be in agreement with the relevant MCC Council department.

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.

Highways also raised various points in relation to the sites location adjacent to a bus stop, and the Metrolink line and related highways matters, which have been provided to the applicant as informatives.

Transport for Greater Manchester - Makes the following comments:

Site Specific Comments

- The proposed location is adjacent to an existing bus stop, however as the equipment is proposed to the rear of the shelter, it should not interfere with sightline visibility or the use of the bus stop for waiting passengers. However, due to the close proximity to the bus stop, the applicant is advised to liaise with Transport for Greater Manchester prior to undertaking any works (This is provided as an informative).
- It is noted that Metrolink were consulted on the application and responded to confirm that no comments were necessary from a Metrolink perspective.

General Comments:

- As a result of the installation works associated with the proposed telecommunication equipment, any affected adopted land will need to be reinstated, where necessary, in accordance with relevant Council standards and specifications. TfGM would refer to the Local Highway Authority (LHA) to confirm if the apparatus is proposed to be installed at a satisfactory distance from the highway in terms of the risk of vehicle strike and sightline visibility.

Metrolink - No objections.

Issues

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

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

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 119 - States that 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. Policies should set out how high

quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

ii. 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.

iii. Paragraph 122 - States that 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.

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.

Principle - 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, subject to the assessment of the appropriateness of the siting and appearance of the proposed equipment.

Siting and appearance - The National Planning Policy Framework advocates the use of high-quality communications infrastructure, and it is considered that the proposal responds to this. 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 Middleton Road.

The introduction of a new tall mast will always be, to some degree be noticeable in an area, particularly to passers-by and nearby occupiers. However, this does not necessarily mean that there would be any resulting visual harm or that the development would have an overwhelming, undue impact.

In this instance, whilst the mast, and associated equipment, is proposed at the end of a long open expanse, in front of nos. 146 to 164 Middleton Road, it would be positioned against the railway embankment and would be seen against the backdrop of the embankment and the raised Metrolink line. The mast would rise above the railway line, but the green cabinets would be seen against the greenery of the embankment, having a minimal visual impact.

The proposal has undergone a sequential site selection, with 13 sites considered. Rooftop locations were originally considered, but there were several constraints, on the sites considered, due to lack of structural availability, and the inability to meet the technical requirements for signal transmission. Locations were then considered for a street works design, with the application site 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.

Middleton Road is a busy, main arterial route through 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.

It is considered that the applicant has attempted to minimise the impact, of the mast, as much as possible and, 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, it is considered that the proposal siting and appearance of the proposal is acceptable.

Highways - In relation to highways the site lies on a sufficiently wide area of footpath, and a footway clearance of well over 2 metres has been maintained between all equipment and the edge of pavement, and this is considered to be acceptable and it is not considered that this would unduly restrict the movement of wheelchair and buggy users. It is therefore considered that the proposal would have no adverse highways implications.

Residential amenity - The site does lie in close proximity to a number of residential properties, particularly no.164 Middleton Road and the occupiers, of that property, have objected to the application on various grounds, including visual impact. It is accepted that the mast would be clearly from that, and other nearby, properties, but it's positioning, against the backdrop of the Metrolink, and otherwise open expanse in front of these properties, it is not considered that the proposed mast would detract from the attractiveness of this area. In visual terms it is not therefore considered that the proposal would have an undue impact upon the amenity of local residents.

Health and safety - The role of the planning system is not to duplicate existing controls under other legislation and is not the place to determine health safeguards. 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. 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.

It is the Governments' view that in such cases 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 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:

Declaration of Conformity with ICNIRP Public Exposure Guidelines dated 5 November 2024

5G Site Specific Supplementary Information Document (Site ref: 30834400)

Drawing set dated 6 June 2024 and numbered 100 rev A, 200 rev A, 201 rev B, 300 rev A and 301 rev B.

All stamped as received by the City Council as Local Planning Authority on 5 November 2024.

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 relation to the adjoining bus stop, there must be no requirement for vehicles to park on-street which may prevent access/ loading for buses. The developer should liaise directly with TfGM's bus infrastructure team to discuss the bus stop location and highway safety in conjunction with the development proposals via both shelters@tfgm.com and stop.closures@tfgm.com prior to undertaking any works.

The site is located adjacent to Metrolink lines. The applicant is advised of the details of working safely near Metrolink which can be found on the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/working-safely>. This document provides contact details for the Metrolink Operator in order that the proposed method of erection can be discussed and relevant permits obtained.

Should there be any basement excavations proposed adjacent to the highway, and the bridge, 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 servicing / maintenance thereafter will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Metrolink

199 Middleton Road, Manchester, M8 4JZ
164 Middleton Road, Manchester, M8 4LB
158 Middleton Road, Manchester, M8 4LB
7 White House Avenue, Manchester, M8 4LA
5 White House Avenue, Manchester, M8 4LA
3 White House Avenue, Manchester, M8 4LA
2 White House Avenue, Manchester, M8 4LA
201 Middleton Road, Manchester, M8 4JZ
195 Middleton Road, Manchester, M8 4JZ
203 Middleton Road, Manchester, M8 4JZ
197 Middleton Road, Manchester, M8 4JZ
15 Gwendor Avenue, Manchester, M8 4LE
13 Gwendor Avenue, Manchester, M8 4LE
162 Middleton Road, Manchester, M8 4LB
160 Middleton Road, Manchester, M8 4LB

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
Area Team Boundary - Name: NORTH AREA