MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138499/TEL/2023
Date registered valid:	6 November 2023
Proposal:	Prior Approval for the installation of a 20 metre high telecommunication mast together with associated cabinets and ancillary equipment
Address:	Footway Of Ashton Old Road & Gorton Road, Manchester, M11 3LW
Ward(s):	Ancoats & Beswick Ward
Applicant:	Cornerstone
Agent (if any):	Mr Michal Laskowski, Clarke Telecom
Case officer:	Carl Glennon Tel: 0161 234 4530 Email: carl.glennon@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 December 2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 29 November 2023

Standard consultations:
Printed: 7 November 2023 Expired: 28 November 2023

Neighbour notifications
Printed: 13 November 2023 Expired: 4 December 2023

Site notice
Posted: 29 November 2023 Expired: 20 December 2023

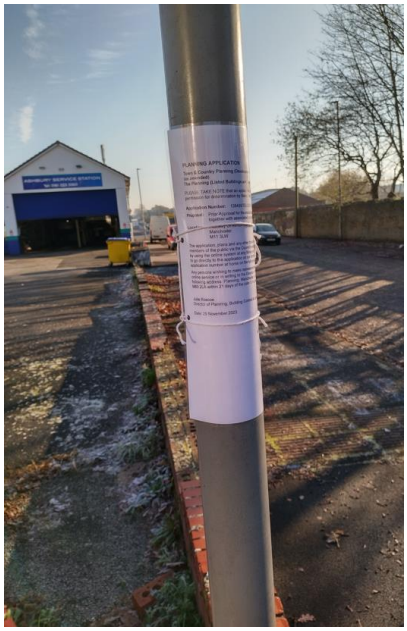


Fig.1 – Site notice as displayed

Press advert
Published: 14 November 2023 Expired: 28 November 2023

Departure from Development Plan: No

Environmental Statement: Not required

<u>Description of site/building</u>

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The proposed mast and equipment would be positioned on the north-side of Gorton Road adjacent to its terminus as vehicular cul-de-sac with pedestrian through route to Ashton Old Road. The surrounding area is predominantly residential with a car repair garage enclosed with a low brick wall located immediately to the north. The nearest residential uses are a block of apartments located on the north side of Ashton Old Road approximately 39 metre from the site.



Fig.2 – Views of the application site

Description of development

The proposed development involves:

i. The installation of a 20 metre high lattice tower incorporating six antennas, two dishes, three Ericson Radio Systems and one GPS module site on the pavement adjacent to the boundary wall of the neighbouring car repair garage.
ii. The installation of two ground mounted cabinets. The proposed cabinets would have the following dimensions:

York cabinet – 600 mm (d) x 1900 mm (w) x 1750 mm (h)
Shire cabinet - 600 mm (d) x 1000 mm (w) x 1750 mm (h)

iii. The mast and equipment will be constructed in steel with a goose grey finish (RAL BS00A05).

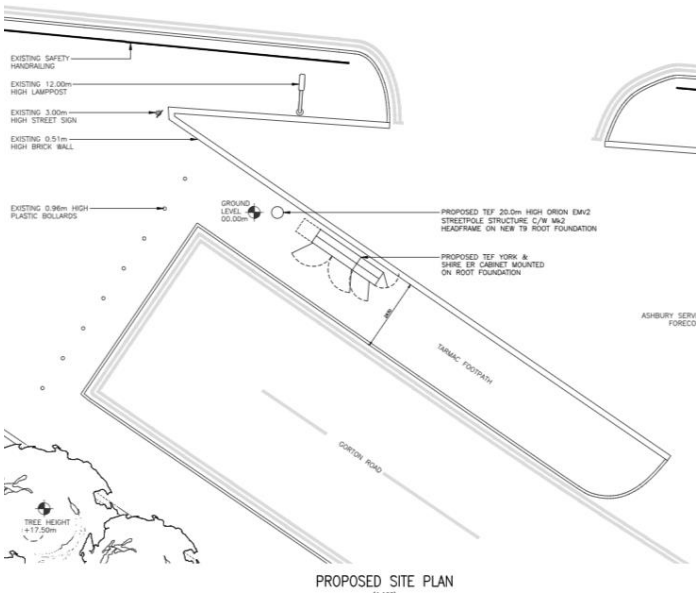


Fig.3 – Site layout

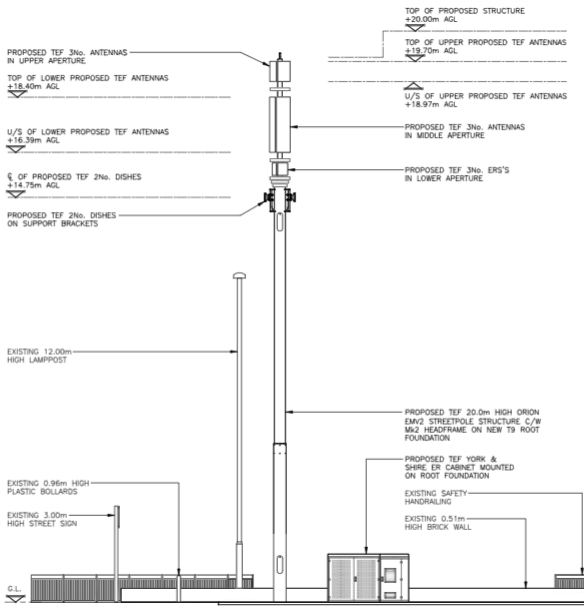


Fig.4 - Elevations

Consultations & Notification Responses

Local residents and businesses – No comments received.

Highway Services – The following comments have been received:

i. The proposed mast and associated antennas and cabinets would be positioned at the back of the adopted footway. Whilst the proposal is acceptable in principle, the final position of the mast and equipment should maintain a minimum 2 meres clearance to and adjacent street furniture and the edge of the carriageway.
ii. The siting of the mast would not distract or otherwise affect the visibility of drivers of passing vehicles and would not give rise to forward visibility issues.
iii. Any requirements for scaffolding or highways licensing should be agreed with the Council as local highways authority.

High Speed Two (HS2) Limited – No objection.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are considered to be relevant:

Section 10 Supporting high quality communications - The following paragraphs are considered to be relevant:

i. Paragraph 114 - States that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. It further states that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) connections. The development would be appropriately related to this objective by upgrading the performance of mobile telephone network and its capacity.

ii. Paragraph 115 - 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. In the case, the applicant has demonstrated that the proposed mast is necessary to the delivery of the 5G network and the proximity of the mast to the existing mast is considered to be justified.

iii. Paragraph 118 - States 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. The required ICNIRP declaration of compliance has been submitted.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 (`the Core Strategy') was adopted by the 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.' The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
c. 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.

The proposal would introduce a new mast that would not have an appreciable impact on the appearance the surrounding industrial area, which is characterised by vehicular rather than pedestrian movement and other industrial operations. The development would improve mobile telecommunication coverage and thereby improve the delivery of services, employment and education. It is considered that the development would be satisfactorily related to policy SP1.

Policy DM1 (Development Management) - 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. Relevant considerations in this case are:

o Appropriate siting, layout, scale, form, massing, materials and detail;
o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
o Community safety and crime prevention;
o Design for health.

As stated, the development would have limited visual impact in this location. The mast would be sited within an industrial area and set back from Ashton Old Road thereby reducing its visual impact. Given the retained footpath width e and limited activity in the locality, pedestrian movement would not be affected. It is considered that the development would be satisfactorily related to policy DM1.

Unitary Development Plan (UDP) saved policies - The following saved policies are considered to be relevant:

Policy E3.3 (Upgrade the appearance of radial and orbital routes) - This policy (E3.3) is relevant given the views of the site from Stockport Road, which is a major radial route to the City Centre.

The positioning of the new development would not unduly harm the appearance of the streetscene as major radial route. Policy E3.3 would be accorded with.

Policy DC17 - Telecommunications - States 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 and environmentally sensitive areas. Wherever possible, the Council will expect the potential of existing buildings and masts, including the sharing of such facilities, to be fully explored before agreeing to additional separate development. The applicant has assessed local mobile coverage and advised that the site is required to provide new 5G and in order to improve coverage in the area. As the development would have very limited visual impact and would positively improve telecommunication coverage, it is considered that policy DC17 would be accorded with.

Principle - The applicant has demonstrated the need for the proposed mast and in the absence of visual harm or residential disamenity, it is considered that principle of the siting of the mast and ground level equipment would be acceptable.

Design and appearance - The 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.

Siting - The siting of the proposed mast and equipment would maintain 2 metre width to the footpath width when the cabinet doors are in a closed position. Appropriate space would thereby be retained to facilitate pedestrian movement. The development would be appropriately to the highway in all other respects, including highway safety. The proposed siting of the development is therefore considered to be acceptable.

Health and Safety - A document has been submitted stating that 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 suite of documents has also been submitted relating the operation of 5G masts and responses to health and safety concerns.

Alternative sites - The applicant has provided a site appraisal which includes twelve discounted options and justifies the selection of the proposal site.

Noise - The equipment would have low noise emissions that would not be significant or perceivable in the proposed location and its noise climate.

Conclusion - It is considered that, on balance, would be appropriately related to the streetscene. The development would improve the quality of local telecommunications coverage, which would be consistent with current guidance. The proposed development would therefore be acceptable

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: **Approve**

Article 35 Declaration

N/A

Condition(s) to be attached to decision for approval

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. Therefore, consent is hereby granted in accordance with the following plans and information accompanying application referenced: 138499/TEL/2023 received by the City Council as local planning authority on 6 November 2023:

Application for prior notification forms
Drawing pack received on 6 November 2023 and comprising:
Site location maps Ref: 100 Rev A
Proposed site plan Ref: 201 Rev A
Proposed site elevation Ref: 301 Rev A
Cornerstone Clarke Telecom letter Ref: CS _30548100 dated 27 October 2023
Cornerstone Clarke Telecom supplementary information Ref: CS _30548100_TEF_096826 dated 27 October 2023 including ICNIRP compliance (page 3)
Clarke Telecom letter Ref: CS _30548100 dated 24 October 2023 Developers Notice as required under Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016.

Informative

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Network Management teams via Email -highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
High Speed Two (HS2) Limited

Ashbury Service Station, 298 Ashton Old Road, M11 3LW
421 Ashton Old Road, Manchester, M11 2DL
419 Ashton Old Road, Manchester, M11 2DL
417 Ashton Old Road, Manchester, M11 2DL
413 Ashton Old Road, Manchester, M11 2DL
411 Ashton Old Road, Manchester, M11 2DL
409 Ashton Old Road, Manchester, M11 2DL
407 Ashton Old Road, Manchester, M11 2DL
21 Campbell House, 403 Ashton Old Road, Manchester, M11 2DJ
29 Campbell House, 403 Ashton Old Road, Manchester, M11 2DJ
28 Campbell House, 403 Ashton Old Road, Manchester, M11 2DJ
27 Campbell House, 403 Ashton Old Road, Manchester, M11 2DJ
15 Campbell House, 403 Ashton Old Road, Manchester, M11 2DJ
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16 Campbell House, 403 Ashton Old Road, Manchester, M11 2DJ
Manchester Education Committee, Kay Street, Manchester, M11 2DU
5 Wren Way, Manchester, M11 3NH
17 Wren Way, Manchester, M11 3NH
15 Wren Way, Manchester, M11 3NH
3 Wren Way, Manchester, M11 3NH
13 Wren Way, Manchester, M11 3NH
9 Wren Way, Manchester, M11 3NH
7 Wren Way, Manchester, M11 3NH
20 - 26 Kay Street, Manchester, M11 2DU
19 Wren Way, Manchester, M11 3NH
11 Wren Way, Manchester, M11 3NH
1 Wren Way, Manchester, M11 3NH
423 Ashton Old Road, Manchester, M11 2DL
415 Ashton Old Road, Manchester, M11 2DL
405 Ashton Old Road, Manchester, M11 2DL

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA