

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138156/TEL/2023

Date registered valid: 21 September 2023

Proposal: Prior Approval for the installation of a 20 metre high telecommunication mast together with associated equipment and cabinets

Address: Land At Falmer Close & Underwood Close, Manchester, M18 8XJ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Cornerstone

Agent (if any): Mr Michal Laskowski, Clarke Telecom

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 09/11/2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 03/10/2023

Standard consultations:

Printed: 25 September 2023 Expired: 16 October 2023

Neighbour notifications

Printed: 10 October 2023 Expired: 31 October 2023

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

Proposal relates to a grass verge on Palmer Close opposite Underwood Close. The site sits on land associated with the City Council owned Wright Robinson College.

Listed building: Not applicable

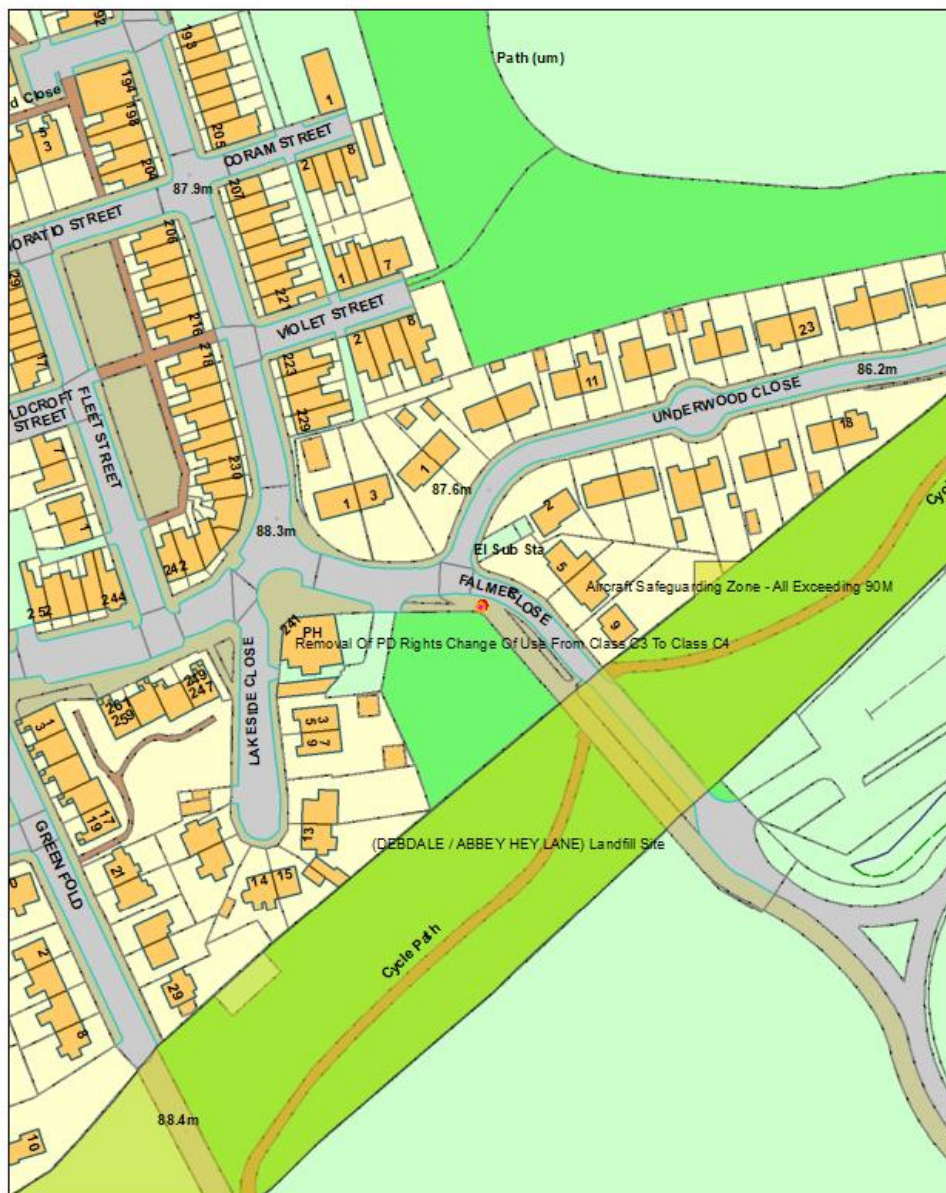
Conservation area: Not applicable

Tree Preservation Order: Not applicable.



Description of area

The site is located on an adopted grass verge on Palmer Close opposite Underwood Close in a mostly residential part of the Gorton & Abbey Hey Ward of Manchester. The site sits north of the Wright Robinson College on City Council land.

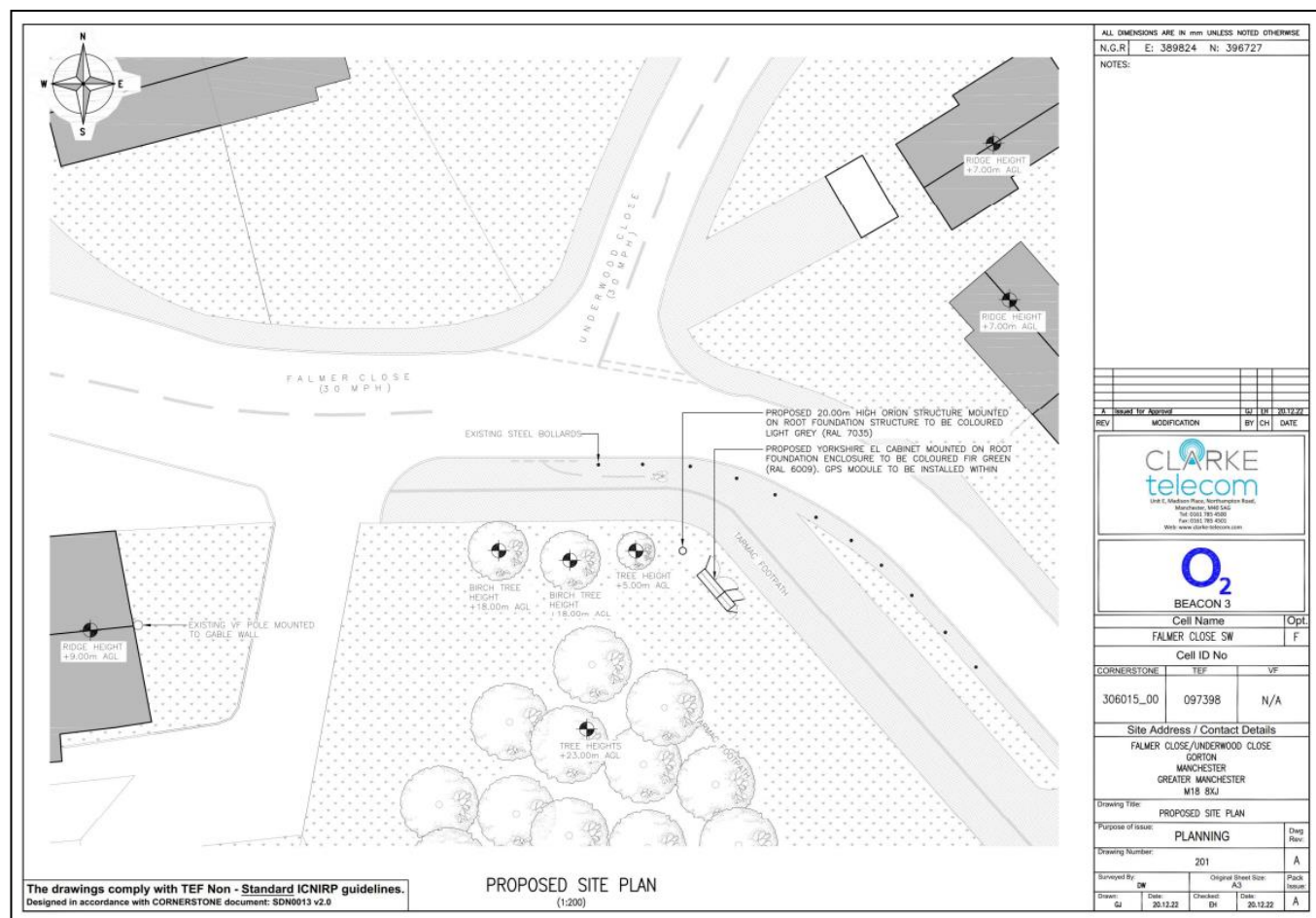


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Description of development

The applicant proposes the installation of 20m monopole supporting 6 no. antennas, 2 no. equipment cabinets, 2 no. transmission dishes and ancillary development thereto including the installation of 3 no. Remote Radio Units (RRUs) and 1no. GPS module.



Planning History

071592/MO/2004/N2

Description: RESERVED MATTERS APPLICATION for the siting, design, external appearance, and landscaping for a three-storey sports college located between the site of the existing school building and the reservoir, including coach drop-off point, 250 parking spaces and associated sports pitches

Decision: Approved 08.07.2004

068819/VO/2003/N2

Description: CITY COUNCIL DEVELOPMENT Outline application for the erection of new buildings up to four storeys in height to form a school for circa 1800 pupils, sixth form college for circa 450 pupils and sports centre, including improved access arrangements from Falmer Close, and demolition of existing school buildings.

Decision: Approved 05.11.2003

Consultations & Notification Responses

Consultations

Manchester City Council Highways Services

Manchester City Council Highways Service were consulted on this application.

Highway Services had no objection to the proposal and added a condition to require a temporary TRO for installation and maintenance.

Notifications

Local Residents

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

6no. local residents objected raising the following issues:

- Perceived effects on health
- Concern on effect on house prices
- Concern on visual obtrusion
- Concern on energy consumption
- Concern on distraction to road users
- Concern on proximity to school
- Concern that residents weren't consulted.

An additional 7no objections were received with addresses outside of the authority commenting on the perceived health effects of the proposed development.

Applicant led consultations.

The applicant led their own notifications as follows:

Community Consultation

Outline of consultation carried out:

A pre-application consultation letters and a set of site plans were sent to the local councillors for Gorton & Abbey Hey ward (Cllrs A Kamal, J Hughes and J Reid) via email, dated 03/03/2023. A pre-application consultation and a set of site plans were sent to the local MP for Gorton (Mr Afzal Khan) via email, dated 03/03/2023.

Summary of outcome/main issues raised:

Cllr Reid responded via email, dated 08/03/2023, stating: "We object to this installation next to a large secondary school and the Fallowfield Loop which is a country park route. It would be completely out of place in this area." No further comments received.

Schools & Colleges

Outline of consultation carried out with school/college (include evidence of consultation): A pre-application consultation letter and a copy of proposed plans were sent to the Headteacher and the Chief of Governors for Wright Robinson College via email, dated 03/03/2023.

Summary of outcome/main issues raised:

The Chief Operating Officer Wright Robinson College responded via email, dated 13/03/2023, stating: "A Telecom are, at present, unable to provide us with details regarding the level of

works involved and the impact in terms of access to the college. We would like to raise our concerns as we are unable to give feedback in terms of our position regarding the works without having all of the information. A key point for us as a school, would be around the access and health and safety of our students, parents/carers and staff accessing the college. Without this information, the extent of the project has not been provided for a full consultation.” No further comments received.

Airports and Aerodromes

Not applicable

Policies & Principle

Summary of relevant policy

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the principle of the application is decided in law and the local planning authority can assess the proposal as outlined in the following legislation:

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in the Manchester Local Plan. It sets out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:
 - DM 1 - Development Management
 - SP 1 - Spatial Principles
 - EN 1 - Design Principles and Strategic Character Areas

[Places for Everyone Plan](#)

- The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater

Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

- [Extant Unitary Development Plan \(UDP\)](#) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy are still considered relevant to this proposal.
 - DC17 - Telecommunications
- [The National Planning Policy Framework \(The NPPF\)](#) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 with the latest version published 05 September 2023. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:
 - Section 4 – Decision-making
 - Section 6 – Building a strong, competitive economy
 - Section 10. Supporting high quality communications infrastructure
 - Section 12 – Achieving well-designed places
- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) – This order is a statutory instrument, applying in England, that grants planning permission for certain types of development (such development is then referred to as permitted development)
 - Schedule 2, Part 16 – Communications
 - Class A – electronic communications code operators

Principle of development

This proposal falls within Part 16, Class A - 'Electronic communications code operators' of The Town and Country Planning (General Permitted Development) (England) Order 2015. This requires that Local Planning Authorities assess the prior approval against the condition laid out in the legislation.

The principle of the development is already permitted.

The City Council, as LPA, can assess the proposals siting and appearance.

The Manchester Core Strategy Development Plan (2012-2027)

The proposal has been assessed against the following policies of the Core Strategy:

DM 1 – Development Management

All new developments should follow the ‘Development Principles’ and accord with the design guidance set out in the Supplementary Planning Documents.

It is of note that a prior approval application allows the City Council, as LPA to assess the siting and appearance of the proposed development.

Appropriate siting, layout, scale, form, massing, materials, and detail

The applicant is seeking the Prior Approval for the installation of a 20-metre-high telecommunication mast together with associated equipment and cabinets.

The proposed mast is located off the pavement close to a tree line avoiding obstructing the pavement and bicycle route.

The proposed mast is considered comparable in terms of size, material design, and position to others found in the area and across the authority.

Overall, it is considered that the proposed development has appropriate siting, layout, scale, form, massing, materials, and detail and is therefore in accordance with the development management principle.

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.

The proposal is visible from the street scene, however given the set back to the street, and wider context of the area, including existing street furniture and telegraph poles, visual impacts in connection with the proposed development are not considered to have any significant impacts to the character of the area, and therefore the appearance is acceptable.

The proposal is considered acceptable and detailed as what is normally expected of such a structure.

It is understood that installation and maintenance of such a structure may cause temporary disruption. A condition has been added for the applicant to apply for a Temporary Traffic Regulation Order to manage and minimise disruption.

Overall, it is considered that the proposed development has minimal impact on the surrounding areas in terms of the design, scale, and appearance and is therefore in accordance with the development management principle.

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

This proposal is considered to accord with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines key design principles for development in Manchester most notably that all development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the border of the 'Central Arc Character Area' and 'Southern Character Area'.

This proposal is considered to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced much of the UDP, but some UDP policies are extant (remain) and are relevant to this proposal.

DC17 – Telecommunications

This policy outlines the key issues when assessing telecommunications proposals.

This proposal is considered to accord with the principles of this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied.

The NPPF has been adhered to and considered at all stages of the application.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 6 - Building a strong, competitive economy

Section 6. of the NPPF outlines the development management principles to help create the conditions in which businesses can invest, expand, and adapt.

Section 10 - Supporting high quality communications infrastructure

Section 10 of the NPPF outlines the development principles in regard to communications infrastructure.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

This proposal is considered to accord with the principles of these policies.

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

The Town and Country Planning (General Permitted Development) (England) Order 2015 sets out the rules and conditions guiding permitted development.

Schedule 2, Part 16, Class A

Cornerstone are acting on behalf of O2, an electronic communications code operator. This development is Class A(a).

The proposal is a new 20 metre ground-based mast allowed with prior approval.

The radio equipment housing proposed is ancillary to the usage of the proposed mast, does not exceed 90 cubic meters and is not on SSSI land.

The proposal has been assessed by Manchester City Council Highways Services had no objection to the proposal and added a condition to require a temporary TRO for installation and maintenance.

The LPA has considered the consultees comments and made note of comments from notices. The consultees have no objection to the proposed development.

The proposal is within accordance of this order.

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.

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner. No significant problems have arisen during the consideration of this application.

Recommendation: Approve

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 (2019), 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 information accompanying application referenced 138156/TEL/2023, namely:

- a. Drawing - Proposed 21 Sep 2023 X3 SITE PLAN AND ELEVATION INC. LOCATION PLAN
- b. Correspondence 21 Sep 2023 COVERING LETTER
- c. Supporting Information 21 Sep 2023 DECLARATION OF ICNIRP COMPLIANCE

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.

Condition(s) to be attached to decision.

1. Removal when no longer required.

The development be removed, 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: Pursuant to The Town and Country Planning (General Permitted Development) (England) Order 2015.

Informative

To facilitate installation/maintenance, which is likely to generate local traffic and congestion issues on a heavily-trafficked route (due to the nearby school/community facility), the applicant must apply for Temporary Traffic Regulation Order via [Traffic Regulation Orders | Traffic Regulation Orders | Manchester City Council](#)

Reason – To minimise the disruption to local residents and businesses pursuant to the Manchester Core Strategy

Appendix 1 – List of consultees & neighbours notified

Highway Services

8 Violet Street, Manchester, M18 8TU
 7 Falmer Close, Manchester, M18 8XJ
 1 Falmer Close, Manchester, M18 8XJ
 236 Abbey Hey Lane, Manchester, M18 8TW
 11 Lakeside Close, Manchester, M18 8QZ
 229 Abbey Hey Lane, Manchester, M18 8TN
 223 Abbey Hey Lane, Manchester, M18 8TN
 240 Abbey Hey Lane, Manchester, M18 8TW
 234 Abbey Hey Lane, Manchester, M18 8TW
 228 Abbey Hey Lane, Manchester, M18 8TW
 226 Abbey Hey Lane, Manchester, M18 8TW
 224 Abbey Hey Lane, Manchester, M18 8TW
 222 Abbey Hey Lane, Manchester, M18 8TW
 4 Violet Street, Manchester, M18 8TU
 2 Violet Street, Manchester, M18 8TU
 Flat 2, 241 Abbey Hey Lane, Manchester, M18 8XL
 Flat 1, 241 Abbey Hey Lane, Manchester, M18 8XL
 218 Abbey Hey Lane, Manchester, M18 8TW
 3 Lakeside Close, Manchester, M18 8QZ
 259 Abbey Hey Lane, Manchester, M18 8XL
 253 Abbey Hey Lane, Manchester, M18 8XL
 247 Abbey Hey Lane, Manchester, M18 8XL

246 Abbey Hey Lane, Manchester, M18 8RP
5 Fleet Street, Manchester, M18 8TE
4 Underwood Close, Manchester, M18 8UY
1 Fleet Street, Manchester, M18 8TE
9 Lakeside Close, Manchester, M18 8QZ
7 Lakeside Close, Manchester, M18 8QZ
5 Lakeside Close, Manchester, M18 8QZ
250 Abbey Hey Lane, Manchester, M18 8RP
248 Abbey Hey Lane, Manchester, M18 8RP
2 Underwood Close, Manchester, M18 8UY
11 Underwood Close, Manchester, M18 8UY
5 Underwood Close, Manchester, M18 8UY
1 Underwood Close, Manchester, M18 8UY
6 Violet Street, Manchester, M18 8TU
241 Abbey Hey Lane, Manchester, M18 8XL
261 Abbey Hey Lane, Manchester, M18 8XL
257 Abbey Hey Lane, Manchester, M18 8XL
255 Abbey Hey Lane, Manchester, M18 8XL
251 Abbey Hey Lane, Manchester, M18 8XL
249 Abbey Hey Lane, Manchester, M18 8XL
9 Falmer Close, Manchester, M18 8XJ
3 Falmer Close, Manchester, M18 8XJ
3 Fleet Street, Manchester, M18 8TE
227 Abbey Hey Lane, Manchester, M18 8TN
238 Abbey Hey Lane, Manchester, M18 8TW
232 Abbey Hey Lane, Manchester, M18 8TW
230 Abbey Hey Lane, Manchester, M18 8TW
252 Abbey Hey Lane, Manchester, M18 8RP
244 Abbey Hey Lane, Manchester, M18 8RP
242 Abbey Hey Lane, Manchester, M18 8TW
220 Abbey Hey Lane, Manchester, M18 8TW
225 Abbey Hey Lane, Manchester, M18 8TN
3 Underwood Close, Manchester, M18 8UY
6 Underwood Close, Manchester, M18 8UY

9 Underwood Close, Manchester, M18 8UY

7 Underwood Close, Manchester, M18 8UY

5 Falmer Close, Manchester, M18 8XJ

Appendix 2 – Planning constraints

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

Historic Landfill Site 250m Buffer -

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA