

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137400/TEL/2023

Date registered valid: 26 June 2023

Proposal: Prior Approval for the installation of a 20 metre high telecommunication lattice tower supporting 6 no antennas, 2 no dishes, installation of 4No. cabinets together with ancillary development.

Address: Land At Ij Scrap Metal, Unit 1A Sandfold Lane, Manchester, M19 3BH

Ward(s): Levenshulme Ward

Applicant: Cornerstone

Agent (if any): Dianne Perry, Clarke Telecom

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 August 2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 7 July 2023

Standard consultations:

Printed: 28 June 2023 Expired: 19 July 2023

Neighbour notifications

Printed: 28 June 2023 Expired: 19 July 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This application relates to a small parcel of land situated on the north side of Sandfold Lane and forms part of a scrap metal processing business. The southern boundary of the site lies adjacent to a footpath to Sandfold Lane. Although the surrounding area is predominantly industrial, residential uses are located approximately 80 metres from the site. A day nursey is locate approximately 53 metres from the site at the north-east junction of Mount Road and Sandfold Lane. The perimeter of the scrap metal business is enclosed by palisade fencing and self-seeded shrubs and trees.



Fig.1 – Application site viewed from Sandfold Lane

Description of development

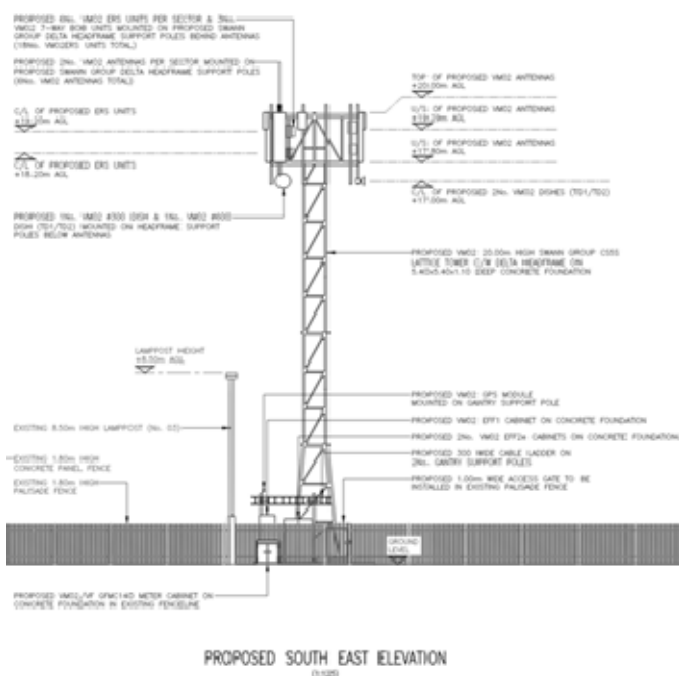


Fig.2 – Proposed elevation

The proposed development involves:

- i. The installation of a 20 metre high lattice tower incorporating six antennas and two dishes;
- ii. The installation of four ground mounted cabinets. All the cabinets all be within a fence enclosure. However, one of the cabinets would be positioned on the fence line with outward opening doors. The proposed cabinets would have the following dimensions:
 - 1000 mm (w) x 470 mm (d) x1000 mm (h) (meter cabinet)
 - 705 mm (w) x 831 mm (d) x 2068 mm (h)
 - 650 mm (w) x 600 mm (d) x 1900 mm (h)
 - 650 mm (w) x 600 mm (d) x 1900 mm (h)

iii. The perimeter of the site would be defined by 1.8 metre high palisade fencing to match the existing and would incorporate an outward opening gate to facilitate access for maintenance.

Consultations & Notification Responses

Local residents – 16 emails of objection have been received and area summarised below:

- i. The siting of the mast will be harmful to public health. This is a particular concern given the close proximity of a neighbouring day nursery;
- ii. The proposed position of the mast will affect the safe operation of the neighbouring metal recycling business. Concerns relate to the operation of cranes within the site and to potential for the mast to distract HGV drivers travelling along the adjacent highway.
- iii. The siting of the mast on land outside the applicant's ownership is objected to. In addition to the potential impact of the operation of the business, there is concern that the security of the related site will be compromised by the need to gain access to maintain the mast.
- iv. The mast would be prominently positioned and its appearance would be harmful to the character and amenities of the area (which includes the residential amenity of the occupants of nearby houses).
- v. There is an over proliferation of masts in the area and the addition of a further mast will further undermine local amenity.
- vi. The height and position of the mast will cause overshadowing and undue loss of light thereby affecting the operation of neighbouring business resulting in the need to install floodlighting.

Highway Services – No objection

- i. All the telecommunication equipment will be placed on private land at Unit 1A Sandfold Lane.
- ii. The proposal would not cause a distraction to passing vehicles or give rise to forward visibility issues.
- iii. The proposals would require a minimal routine servicing/maintenance (every two to three months). Maintenance vehicles should park with regard to surrounding parking restrictions.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

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. It states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals

should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted. 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 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. It is considered that 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 mat is considered to be justified.
- iii. Paragraph 115 - States that all 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. In this case, the applicant has provided a satisfactory explanation of site selection and the proposal has been related to drawings and a supporting statement. It is considered that sufficient and satisfactory information has been provided.
- iv. 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)

Policy DM1 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 adjacent to lighting column situated in Sandfold Lane. It is not apparent that visibility would not be affected by the development. The mast would comprise of a grey colour treatment and thereby appropriately related to the surrounding context. The development would be sited adjacent to the footpath and pedestrian movement would be unaffected. It is considered that the development would be satisfactorily related to policy DM1.

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

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 Levenshulme 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 development site is not currently under the control of the applicant. However, these issues should be addressed through Communications Act 2003, which set out the criteria for engagement between landowners and system operators and the acquisition of land for the installation of telecommunications equipment. Notwithstanding the above, the development would be appropriately related to the surrounding industrial streetscape. 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.

Local objections – This application has been assessed with regard the GDPO 2015 (as amended), Part 16 (Communications) Class A, which sets out the criteria for the permitted installation of telecommunications equipment. Paragraph A.1 (c) allows the installation of a mast of up to 25 metres above ground level on unprotected land subject to an application to determine the need for prior approval. Paragraph A.3 (4) stated that the local planning authority (LPA) is required to determine if prior approval of siting and appearance is required. No other matters may be taken into consideration. The proposed development has been assessed on this basis.

Based on the limited assessment criteria local representations relating to perceived health concerns and the operation of neighbouring businesses, including the nearby day nursery and scrap metal business, cannot be taken into account. Notwithstanding the above, the mast would be positioned adjacent to a street boundary and enclosed with a fence separating its form the operational areas of the site. It is not considered that there is an over proliferation of mobile telecommunication masts. It is acknowledged that the adjacent street scene is characterised by an array of columns supporting street and security lighting and CCTV cameras. Within this context, it is not considered that the development would have a visually disruptive impact on the street scene. The nearest residential uses are located approximately 81 metres from the application site and separated from it by the yard to the scrap metal business. Given this separation there would not be significant harm to residential amenity.

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. It is considered that the installation of 1.8 metre high palisade fencing would be acceptable given its incorporation into the existing boundary treatment.

Siting- The development would be sited and demarcated within a very limited area of a larger site. With the exception of outward opening cabinet doors and a gate during maintenance there would be no encroachment on to the footpath. Periodic disturbance is considered to be acceptable, particularly as the characteristics of the locality are likely to produce reduced levels of pedestrian movement. There is nothing to indicate that the siting of the mast would harm highways safety or vehicular movement. 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 of the development.

Highways – The development does not present any apparent harmful impacts on pedestrian or highway safety.

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 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

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:

137400/TEL/2023 stamped as received by the City Council as local planning authority on the specified dates:

Application for prior notification forms received on 26 June 2023

Drawing pack received on 26 June 2023 and comprising:

Site location maps Ref: 100 Rev A

Proposed site plan Ref: 201 Rev A

Proposed site elevation Ref: 301 Rev A

(Supplemented by email submitted on behalf of Clarke Telecom confirm dimensions of equipment cabinets)

Cornerstone Clarke Telecom letter Ref: 30619300 dated 3 May 2023

Cornerstone Clarke Telecom supplementary information Ref: CTIL 306192_00, including ICNIRP compliance (page 6) received 26 June 2023 amended by Cornerstone Clarke Telecom letter Ref: 30619300_TEF92409 dated 15 June 2023 clarifying declaration of ICNIRP compliance.

Informatives

1. Any requirements for temporary traffic management arrangements will need to be agreed with the Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services

34 Audley Road, Manchester, M19 3FQ

8 Audley Road, Manchester, M19 3FQ

303 Mount Road, Manchester, M19 3ET

8 Baslow Avenue, Manchester, M19 3GG

10 Baslow Avenue, Manchester, M19 3GG

Adjacent To 303, Mount Road, Manchester, M19 3ET

2 Audley Road, Manchester, M19 3FQ

Robert R Stockfis Manchester Ltd, Sandfold Lane, Manchester, M19 3HW

10 Audley Road, Manchester, M19 3FQ

Greater Manchester Waste Disposal Authority, Sandfold Lane, Manchester, M19 3BJ

Unit 20, Sandfold Lane, Manchester, M19 3BJ

6 Audley Road, Manchester, M19 3FQ

14 Bratton Drive, Manchester, M19 3GW

40 Bratton Drive, Manchester, M19 3GW

Unit F Levenshulme Trading Estate, Sandfold Lane, Manchester, M19 3BJ

6 Baslow Avenue, Manchester, M19 3GG

11 Baslow Avenue, Manchester, M19 3GG

22 Audley Road, Manchester, M19 3FQ

Connaughton House, Mount Road, Manchester, M19 3BH

40 Guildford Road, Manchester, M19 3FZ

48 Guildford Road, Manchester, M19 3FZ

2 Baslow Avenue, Manchester, M19 3GG

24 Bratton Drive, Manchester, M19 3GW

16 Bratton Drive, Manchester, M19 3GW

36 Bratton Drive, Manchester, M19 3GW

32 Bratton Drive, Manchester, M19 3GW

28 Bratton Drive, Manchester, M19 3GW

14 Audley Road, Manchester, M19 3FQ

Unit 6, Sandfold Lane, Manchester, M19 3BJ
28 Audley Road, Manchester, M19 3FQ
Ryecroft Cottage, Mount Road, Manchester, M19 3HW
Unit 8, Sandfold Lane, Manchester, M19 3HW
42 Guildford Road, Manchester, M19 3FZ
50 Guildford Road, Manchester, M19 3FZ
16 Baslow Avenue, Manchester, M19 3GG
16 Audley Road, Manchester, M19 3FQ
48 Bratton Drive, Manchester, M19 3GW
5 Baslow Avenue, Manchester, M19 3GG
331 Mount Road, Manchester, M19 3HW
38 Guildford Road, Manchester, M19 3FZ
46 Guildford Road, Manchester, M19 3FZ
3 Baslow Avenue, Manchester, M19 3GG
24 Audley Road, Manchester, M19 3FQ
4 Audley Road, Manchester, M19 3FQ
26 Bratton Drive, Manchester, M19 3GW
22 Bratton Drive, Manchester, M19 3GW
18 Bratton Drive, Manchester, M19 3GW
10 Bratton Drive, Manchester, M19 3GW
Unit 7, Sandfold Lane, Manchester, M19 3BJ
Unit 5, Sandfold Lane, Manchester, M19 3BJ
32 Audley Road, Manchester, M19 3FQ
26 Audley Road, Manchester, M19 3FQ
14 Baslow Avenue, Manchester, M19 3GG
46 Bratton Drive, Manchester, M19 3GW
Unit 10, Sandfold Lane, Manchester, M19 3BJ
20 Audley Road, Manchester, M19 3FQ
44 Guildford Road, Manchester, M19 3FZ
12 Baslow Avenue, Manchester, M19 3GG
20 Bratton Drive, Manchester, M19 3GW
12 Bratton Drive, Manchester, M19 3GW
44 Bratton Drive, Manchester, M19 3GW
50 Bratton Drive, Manchester, M19 3GW
42 Bratton Drive, Manchester, M19 3GW
34 Bratton Drive, Manchester, M19 3GW
13 Baslow Avenue, Manchester, M19 3GG
Flynn Surfacing Ltd, Sandfold Lane, Manchester, M19 3HW
R M J Concrete Flooring, Printworks Lane, Manchester, M19 3JP
Unit 1, Sandfold Lane, Manchester, M19 3BJ
40 Audley Road, Manchester, M19 3FQ
38 Audley Road, Manchester, M19 3FQ
36 Audley Road, Manchester, M19 3FQ
30 Audley Road, Manchester, M19 3FQ
4 Baslow Avenue, Manchester, M19 3GG
38 Bratton Drive, Manchester, M19 3GW
30 Bratton Drive, Manchester, M19 3GW
7 Baslow Avenue, Manchester, M19 3GG
1 Baslow Avenue, Manchester, M19 3GG
9 Baslow Avenue, Manchester, M19 3GG
12 Audley Road, Manchester, M19 3FQ
18 Audley Road, Manchester, M19 3FQ

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

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA