

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137228/TEL/2023

Date registered valid: 8 June 2023

Proposal: Prior Approval for installation of replacement head-frame onto existing mast to facilitate additional and upgraded radio antennas, ancillary works thereto.

Address: Communication Station Junction Railway Street , Froxmer Street, Manchester, M18 8EF

Ward(s): Gorton & Abbey Hey Ward

Applicant: N/A Cornerstone

Agent (if any): Mr Mark Thomas Flaherty Elmfield Consultancy

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 July 2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 June 2023 Expired: 30 June 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

The existing telecommunications mast and associated equipment compound is located in the south western area of a development of five industrial units with an associated parking /servicing area, adjacent to the access into the site . The western boundary of the site alongside Froxmer Street is well screened by planting and tree canopies during summer.

Planning History

131285/FO/2021- Removal of 6 no. existing antennas and headframe fixed to existing 17.5 metre high monopole and the installation of 18. no antennas mounted on a new headframe fixed to the existing 17.5 metre high monopole, and ancillary development, including the installation of Remote Radio Units (RRUs) located behind the Antennas and 2 no. GPS modules.

Land at Railway Street Industrial Estate , Railway Street

Approved 13.09.2021

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located within a predominantly commercial area, characterised by industrial, and warehouse units. For clarity, whilst the wider site is known as Railway Street Industrial Estate, the postal address for the units is Froxmer Street Industrial Estate , Railway Street. There are, however, houses located 44m to the east of the existing mast site on Thorpeness Square.

Description of development

The proposal is for the removal of 6no. antenna , and headframe, and replacement with 9no. TEF antennas mounted on a new headframe fixed to the existing 17.5 metre high monopole, and ancillary development, including the installation of two TEF dishes 300mm and a GPS module. The proposed equipment cabinets would be located within the existing equipment cabin.

Works would also include the reduction of the height of the tree directly to the west of the mast from 14.6 m to 10.6 m (AGL) in height. No trees in proximity to the mast are to be removed.

Consultations & Notification Responses

Local Businesses - No comments received.

Arboricultural officer – No comments received

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 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. However, paragraph 10 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.
- iii. Paragraph 116 - States that Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that: a)

they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

- iv. Paragraph 117 - 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 the site selection and a ICNIRP declaration. The proposal has been related to clearly presented drawings and a supporting statement. It is considered that sufficient and satisfactory information has been provided.

Core Strategy - 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.

Siting

The mast location would remain as existing in a predominantly commercial setting. The applicant is in the process of progressing suitable sites in the Gorton area for radio base stations to improve service provision. The site is required to provide enhanced coverage and capacity, and new 5G coverage ensuring that this area of Gorton has access to the latest technologies. This upgraded site will also ensure the operator to continue to utilise the same site and maintain, enhance and provide the latest technologies and new 5G service provision in the area as well. The existing site is located near a number of vertical structures within the local streetscene including lighting columns, commercial signage, railway infrastructure and existing trees and foliage. The applicant is utilising the existing site in line with NPPF guidelines. It is considered the proposal strikes an appropriate balance between operational and environmental considerations, and the impact of the development would be outweighed by the public benefit of the proposal. There are residential properties, in proximity to the site, but the nearest property is approximately 49 metres away to the rear of the industrial units, which lie to the east of the site. The location does not therefore have what might be considered a residential character. It is not considered that the works would have a harmful visual impact upon the locality and it is considered that the proposed location is therefore acceptable in principle. It is not considered that the additional antennae telecommunication and equipment will create clutter within the street scene, and the siting of the works are considered to be acceptable.

Design

The proposal is for the removal of 6no. antenna, and headframe, and replacement with 9no. TEF antennas mounted on a new headframe fixed to the existing 17.5 metre high monopole, and ancillary development, including the installation of two TEF dishes 300mm and a GPS module. The proposed equipment cabinets would be located within the existing equipment cabin.

The design of the proposal is considered to be acceptable in this instance, and it is considered that the installation of the additional antennae would not detract it from the surrounding street scene. It is considered that any impacts to visual amenity not be significant, and any impacts would be outweighed by the benefits of the proposal, in terms of improved connectivity.

Trees

Works would also include the reduction of the height of the tree directly to the west of the mast from 14.6 m to 10.6 m (AGL) in height. No trees in proximity to the mast are to be removed. As

none of the trees are subject to tree preservation orders, the works which have been proposed would not require planning permission. It is, however, it is proposed to attach informatives in regard to the proposed reduction to the overall height of the annotated tree on the submitted plans not taking place during the bird nesting season, and that the tree works would be undertaken in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Health and safety

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. Compliance with ICNIRP legislation 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. Further advice on health issues was previously provided in PPG8 which has now been replaced with the National Planning Policy Framework (July 2021) and the weight that this can be given to applications for telecom equipment.

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:

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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 137228/TEL/2023 as received on 8th June 2023, namely:

- a) Drawing pack (Site location plan Ref:100 rev.C; Lease drawing ref: 101 rev.C; Proposed site plan ref: 201 rev.E; Proposed site plan ref: 301 rev.E.
- b) Declaration of Conformity with ICNIRP.
- c) Site Specific Supplementary Information.

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.

Informative

1. All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work". In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area.
2. No removal of or works to any hedgerows, trees or shrubs should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Appendix 1 – List of consultees & neighbours notified

Froxmer Industrial Estate, Railway Street, Manchester, M18 8EF
Unit 5, Froxmer Industrial Estate, Railway Street, Manchester, M18 8EF
6 Froxmer Street, Manchester, M18 8EF
27 Froxmer Street, Manchester, M18 8EF
37 Railway Street, Manchester, M18 8FB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: NORTH AREA