

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136881/TEL/2023

Date registered valid: 3 May 2023

Proposal: Prior Approval application for the installation of a 15m high telecommunications mast, supporting six antennas, together with three associated equipment cabinets.

Address: Pavement Outside Colonnade House, 163 Kingsway, Manchester, M19 2JN

Ward(s): Burnage Ward

Applicant: CK Hutchinson Networks (UK) Ltd

Agent (if any): Mr Alan Osborne WHP Telecoms Limited

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

Recommendation: Approve

Date of recommendation: 05/06/2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 10/05/2023

Standard consultations:

MCC Highways Services: Printed: 5 May 2023 Received: 25 May 2023

Neighbour notifications

Printed: 5 May 2023 Expired: 26 May 2023

Site notice

Posted: 10 May 2023 Expired: 31 May 2023

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Proposal relates to adopted highways-controlled pavement.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



Figure 1. Photo of site



Figure 2. Photo of proposed location – from the corner of Burnside Drive

Description of area

The proposal is located on an adopted highways-controlled pavement outside 163 Kingsway in a mixed commercial and residential area of the Burnage ward of Manchester. The proposal is located at the intersection of Kingsway, Grangethorpe Drive and Talbot Road. Kingsway is a major arterial route into the city centre with the Styal National Rail line running parallel.

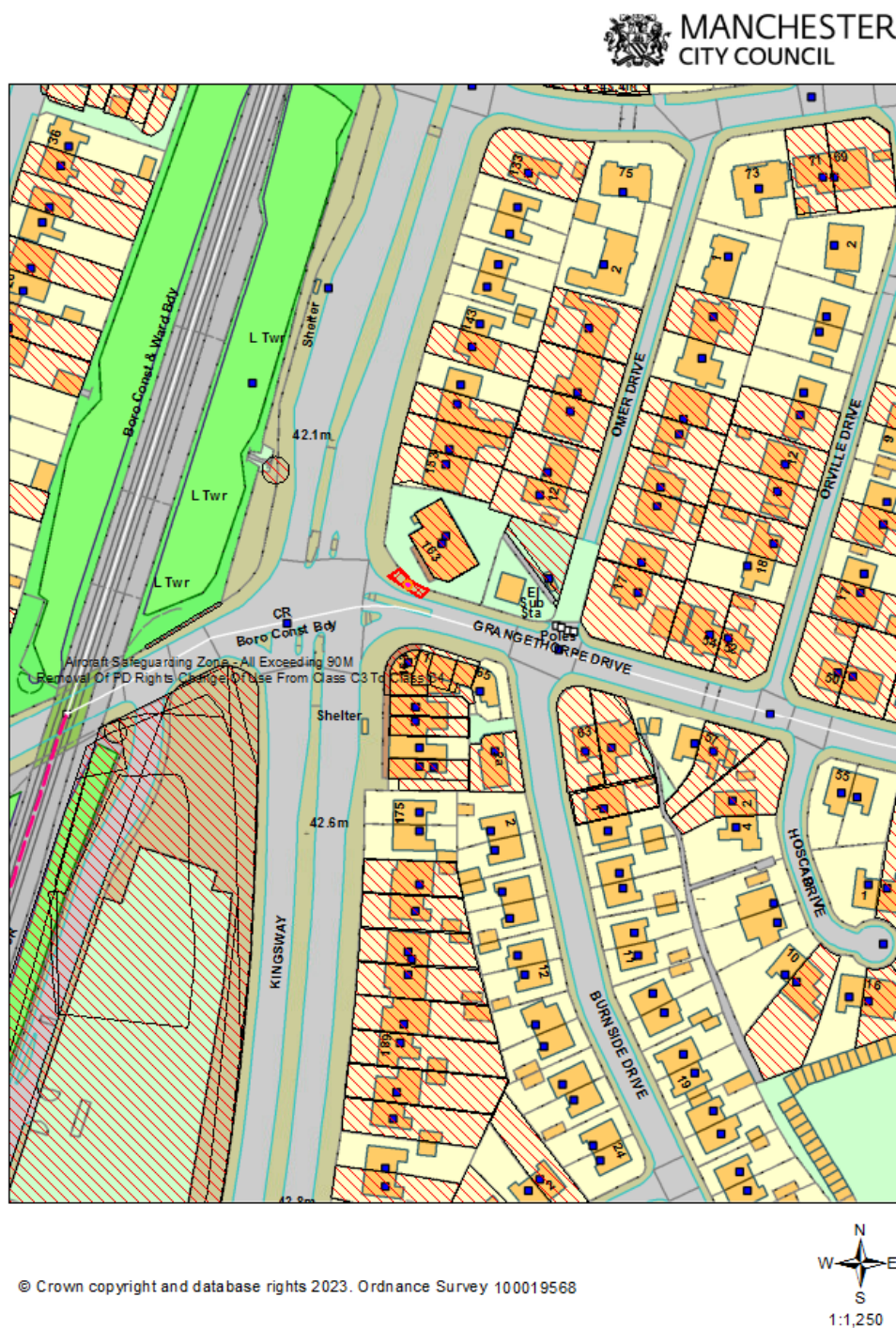


Figure 3. Location of Development

Description of development

The proposal is a prior Approval application for the installation of a 15m high telecommunications mast, supporting six antennas, together with three associated equipment cabinets.

The main pole is 15m high standing 2600mm from the kerb and 500mm from the rear of the footpath.

There are 3no. proposed ancillary cabinets all in Grey Steel. It is of note that these cabinets would be permitted development if standing alone.

Equipment Housing: Commscope - Bowler

Length: 1900 mm

Width: 600 mm

Height: 1752 mm

Equipment Housing: Ericsson – 6130

Length: 650 mm

Width: 700 mm

Height: 950 mm

Equipment Housing: G-100876

Length: 600 mm

Width: 520 mm

Height: 1585 mm

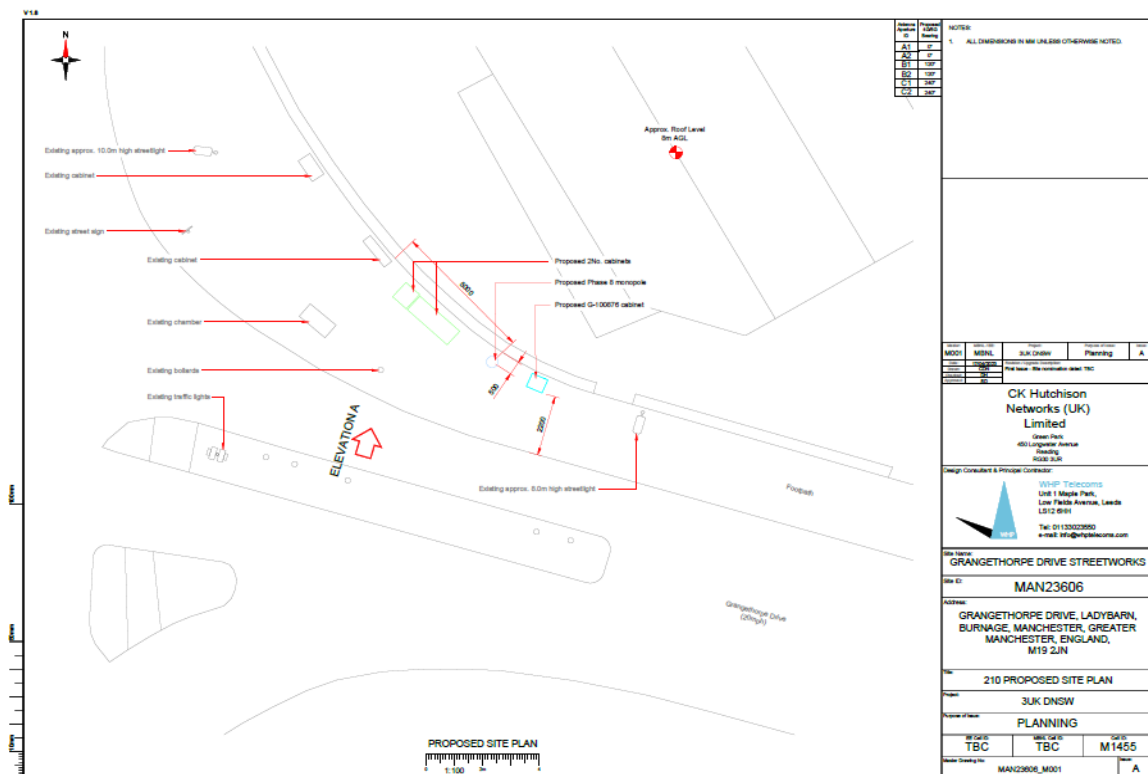


Figure 4. Proposed Site Plan

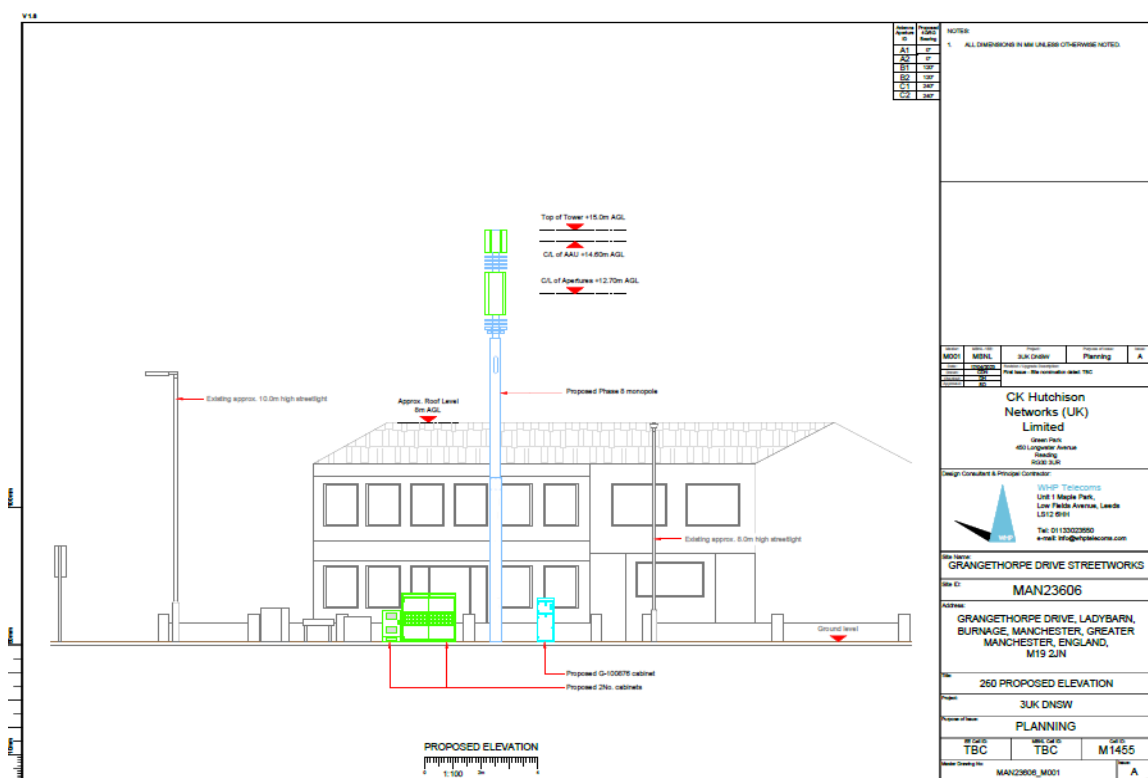


Figure 5. Proposed Elevation Plan

Consultations & Notification Responses

Residents

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

1no. objections were made to the proposal by a neighbouring resident. The objection was predominantly concerned with the effects on highways and general effect on visual amenity.

2no. objections were made by members of the public.

- 1no. objection focussed on the 'taxpayer cost' of the proposal however this misunderstands the application which is a privately funded development.
- 1no. objection focussed on the highway safety concerns at the proposed location.

These objections have been taken into consideration when making the decision in combination with consultations from Highways Services and with reference to relevant policy.

Highway Services

As per Appendix 1, Highways Services were notified of the proposal and were accepting in principle of the proposal.

Highways response as followed:

"Both the mast and associated antennas and cabinets appear to be placed at the back of the adopted footway. Sufficient carriageway clearance is being provided and sufficient footway width is being maintained.

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 have concerns that during installation and for ongoing maintenance requirements, there would be significant disruption caused to Kingsway and Grangethorpe Drive. A temporary partial road closure would be required (through a temporary TRO) to facilitate these works which is likely to generate local traffic and congestion issues on a

key, heavily-trafficked route, Highways requests that installation and servicing take place at weekends and out of hours.

It is understood that the proposals would require a minimal level of routine servicing/maintenance which would require maintenance vehicles to be parked nearby in consideration of the surrounding parking restrictions.

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 Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk”

Nursery, School and/or College Notifications

The location of the site is within 200m of a school/college, so applicant consultation was required. The applicant contacted both education providers on 25/04/23 and have received no comments.

The schools within 200m are

- Mauldeth Road Primary School, Mauldeth Rd, Withington, Manchester M14 6SG
- Mini Miners Nursery, Manchester 111, Christ Church, Burnage Lane, Burnage M19 2WH

Aerodrome or Airfield notification.

The proposal is not located within 3km of an aerodrome or airfield, so no consultation was required.

Planning History

The applicant submitted a pre-application consultation letter, copy of the site location plan, proposed monopole design and a consultation plan to Manchester City Council Planning Department by email on 25/04/2023.

No specific comments were received.

It is of note there is an existing telecoms pole located on the opposite side of Kingsway. 128344/TEL/2020, Prior approval application for the installation of a 20m high slim-line telecommunications column supporting 6 no. antennas, 2 no. transmission dishes, a GPS Module and 3 no. Remote Radio Units (RRUs), with 2 no. equipment cabinets at the base and associated works.

Decision: Approve 15/02/2021

Policies & Principles

Relevant Policy

The following policies are considered relevant in the consideration of this application.

- Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development 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.
- The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
 - Policy DM1 - Development Management
 - Policy SP1 - Spatial Principles
- The National Planning Policy Framework (NPPF)
 - Section 10 Supporting high quality communications infrastructure
 - Paragraph 114
 - Paragraph 115
 - Paragraph 117
- Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016

For reasons to be outlined below, it is considered the proposal accords with the principles of these policies.

Principle

This proposal falls within Part 16, Class A - 'Electronic communications code operators', of the

Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016. This requires that Local Planning Authorities assess whether prior approval is required for the siting and appearance of the development.

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context.

Policies DC17 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to Telecommunications development and set out the criteria against which proposals for Telecoms will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of development.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC17 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy

Manchester Core Strategy Policy DM1 – Development Management

This policy outlines the specific issues all development in Manchester should have regard to. All new developments should follow the 'Development Principles' and accord with the design guidance.

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

The applicant is seeking to erect a 15m high telecommunications mast, supporting six antennas, together with three associated equipment cabinets.

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 public highway however the scale and materials used will have a minimal effect on the street scene especially considering the busy junction and commercial buildings in the area.

The character of the area has been retained and therefore the appearance is acceptable and its impact upon visual amenity is considered negligible due to the adjacent commercial buildings.

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

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

As discussed above the proposal has minimal effect on privacy given the nature of the proposal.

The proposal has negligible effect on local light, noise, vibration, air quality, odours, litter, vermin, and birds and is therefore in accordance this development management principle.

The proposal has negligible effect on road safety and traffic generation with Highways Services accepting the proposals would not cause a distraction to passing vehicles and would not give rise to forward visibility issues and is therefore in accordance with this development management principle.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal would reduce the usable pavement space to 2000mm which is the minimum desirable clearance (as issued by Highway Services) and is therefore in accordance with this development management principle.

Community safety and crime prevention.

The proposal has negligible impact on community safety and prevention and is therefore in accordance with this development management principle.

Design for health.

The proposal has negligible impact on the health of the local environment and is therefore in accordance with this development management principle.

The applicant has provided a Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection (ICNIRP) Public Exposure Guidelines confirming the proposal is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection as expressed in EU Council Recommendation 1999/519/EC of 12 July 1999 “on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)”.

Effects relating to biodiversity, landscape, archaeological or built heritage

The proposal has negligible effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Manchester Core Strategy Policy SP1 - Spatial Principles

The 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 principle has been considered within the Core Strategy DM1 policy.

The proposal is considered within accordance with this policy.

Manchester Core Strategy Policy EN1 – Design Principles & 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.

1. Character: a place with its own identity
2. Continuity and enclosure: a place where public and private places are clearly distinguished
3. Quality of the public realm: a place with attractive, and successful outdoor areas
4. Ease of movement: a place that is easy to get to and move through
5. Legibility: a place that has a clear image and is easy to understand
6. Adaptability: a place that can change easily
7. Diversity: a place with variety and choice

This proposal sits within the 'Southern Character Area'. The key principles for this area are:

- New development needs to retain the identity and focus of activity associated with the historic District Centres.
- Where appropriate development along the radial routes such as Princess Parkway should be commensurate in scale with the prominence of its location

These principles have been taken into consideration within the Core Strategy Policy DM1.

The proposal is considered within accordance with this policy.

Manchester Unitary Development Plan (UDP) Saved Policy DC17 – Telecommunications

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.

The proposed location minimised the impacts to residential amenity and environmental areas. The proposal therefore in accordance with the development management principle.

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.

Section 10, Para 114 of the NPPF outlines the requirement for planning policies and decisions that support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

This proposal for a 5G telecoms installation supports this policy.

Section 10, Para 115 of the NPPF notes 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. 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.

The site and local vicinity currently do not have any installations, so the proposal and the siting are appropriate within the industrial setting.

Section 10, Para 117 of the NPPF notes the necessary evidence required to support prior approval including the requirement for a Declaration of Conformity with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines.

The applicant has provided a certificate confirming the proposal is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection as expressed in EU Council Recommendation 1999/519/EC of 12 July 1999 "on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)".

The proposal is within accordance of this principle.

The NPPF has been adhered too and considered at all stages of the proposal.

NPPF design principles have been considered within Core Strategy Policy DM1.

Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016

The proposal falls within Part 16, Class A - 'Electronic communications code operators', of the above regulations. This requires that Local Planning Authorities assess whether prior approval is required for the siting and appearance of the development.

The proposal is within accordance of this order.

Overall

The proposal is considered acceptable in this location, in terms of design, scale and massing. For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC17 and policies SP1 and DM1 of the Core Strategy.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations.

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

1. The City Council is satisfied with the siting and appearance of the proposed telecommunication installation, in accordance with 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). The consent hereby provided shall ensure the installation be carried out only in accordance with drawings received by the City Council as Local Planning Authority as following:

- a. *SITE LOCATION PLAN as numbered 002 as received 03/05/2023*
- b. *PLANNING STATEMENT as received 03/05/2023*
- c. *DECLARATION OF CONFORMITY as received 03/05/2023*
- d. *MIXED DRAWING PLANS as numbered MAN23606_M001 as received 03/05/2023*

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).

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 Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

165 Kingsway, Manchester, M19 2ND

First Floor, Kingsway House, 163 Kingsway, Manchester, M19 2LW

Ground Floor, Kingsway House, 163 Kingsway, Manchester, M19 2LW

Flat At, 167 Kingsway, Manchester, M19 2ND

65 Grangethorpe Drive, Manchester, M19 2NF

167 Kingsway, Manchester, M19 2ND

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

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: SOUTH AREA