

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136738/FO/2023

Date registered valid: 11 May 2023

Proposal: Installation telecommunications equipment in the form of 1 No. GPS node and ancillary associated development.

Address: Holy Innocents Church, 2 Wilbraham Road, Manchester, M14 6JZ

Ward(s): Fallowfield Ward

Applicant: NET on behalf of MBNL

Agent (if any): Ms Rebecca Skerrett, Avison Young

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19.06.2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 18.05.2023

Standard consultations:

Printed: 16 May 2023 Expired: 6 June 2023

Neighbour notifications

Printed: 16 May 2023 Expired: 6 June 2023

Site notice

Posted 18.05.2023 Expired 8 June 2023

Press advert

Published: 23 May 2023 Expired: 6 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: N/A

Tree Preservation Order: N/A

Description of site

Church of the Holy Innocents is a Grade II listed building and is not located within a conservation area. The church is located to the north of Wilbraham Road. The area is mixed in use and comprises of retail, commercial and residential properties. The existing site at the church is an integral site within the wider network as it serves a high volume of users in this area. The church was constructed between 1870 and 1872 designed by architects Price and Linkater. The Historic England listing sets out the church is "Coursed yellow sandstone rubble with red sandstone dressings, steeply-pitched slate roof with diaper pattern of green slates. Gothic style of c.1200, all openings 2-centred arched with cusped heads. Nave with north and south aisles, south-west porch, south-east steeple, apsidal-ended chancel with south chapel and north vestry. The freestanding square 4-stage tower, with angle buttresses, corner pinnacles and octagonal spire with lucarnes, has a south doorway with set-in shafts and moulded head with ball-flower ornament, a 2-light window to the 2nd stage, circular clockfaces to the 3rd stage, and coupled 2-light belfry windows and corbel-tables to the top stage."

Description of proposals

The application proposals are to upgrade existing telecommunications infrastructure located in the church. The works comprise the installation of 1 No. GPS node located externally on the tower at a height of approximately 21.50 metres above ground level. The node is located on the northern elevation of the tower and is positioned next to architectural features on the tower and therefore is not overly visible. The GPS will be attached with resin bolts to the mortar to ensure

the fabric of the building is not damaged. The node is small in scale and will not be overly visible and is the only element that would be installed externally.

The listed building element will be considered under the ecclesiastical exemption route and will be undertaken through the Faculty Process and therefore, the listed building element does not need to be determined by the Council in this instance although pre-application advice was provided on the location of the required node which the applicant has sought to amend to lessen impacts on the listed building and its fabric.

Planning History – 071999/FO/2004/S1 - Installation of 12 antennas behind existing louvres in church tower and replacement of existing louvres with glass reinforced plastic louvres and installation of 4 equipment cabins in grounds and three equipment cabins within tower.
Approved 03.09.2004

Consultations & Notification Responses

The application has been subject of notification to nearby neighbours, a site notice posted, and advertisement placed in the Manchester Evening News. No responses have been received in response to these.

Policy

Development Plan Policy Section 70 of the Town and Country Planning Act 1990 as amended requires planning applications and appeals to be determined having regard to the provisions of the Development Plan and other material considerations, and Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications and appeals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Manchester's Local Development Framework Core Strategy Development Plan Document (2012) together with saved UDP policies form the local planning policy framework for considering the application proposals.

Those policies relevant in the determination of this application are:

SP1, DM1 and EN3 of the Core Strategy
Saved UDP policy DC17.1 'Telecommunications'

NPPF (2021) and in particular sections 2 (Achieving Sustainable Development); Section 4 (Decision-Making); Section 6 (Building a strong competitive economy); section 10 (supporting high quality communications); and section 16 (conserving and enhancing the historic environment).

Issues

Principle- The principle of installation of telecommunications equipment on existing buildings is one that is generally considered acceptable. In this instance given the proposals involves a listed building further consideration is required in respect of the visual impacts of the proposal on the designated heritage asset.

Impact on the listed building – Most of the equipment would be internal and subject to a separate application process and consideration through the ecclesiastical exemption process, these internal installation would be concealed behind the timber grilles to the tower. The external installation would be limited to the GPS node & associated cabling, fixtures and fittings, which would be located to the rear (north) elevation of the tower, limiting visibility of the installation. The Council is satisfied that the proposed resin anchors would be affixed to the

mortar with any additional clips to cables or otherwise also be affixed to mortar. A condition should be attached to ensure that the external installations are either coloured to match the adjacent stonework or black in colour.

The proposals are considered to deliver the required upgraded equipment with minimal harm to the listed building. The harm has been justified but this harm would be outweighed by the public benefit deriving from the development according with paragraph 200 and 202 of the NPPF (2021).

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 application has been determined in a positive and proactive manner. In this instance no issues have arisen during consideration of the application and appropriate conditions are appended to the decision.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
200 Proposed Site Plan; 250 Proposed Elevation A; 509 Proposed GPS Node all as received by the City Council as local planning authority on the 13th April 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The external equipment to be installed shall be of a colour finish to match the adjacent stonework or black.

Reason – In the interests of the visual amenity of the area pursuant to policy DM1 and EN3 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

5 Wilbraham Road, Manchester, M14 6JS
Beer Studio Bar And Kitchen, 256A Wilmslow Road, Manchester, M14 6LB
Flat 12, 5A Wilbraham Road, Manchester, M14 6JS
Flat 1, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 2, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 3, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 4, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 5, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 6, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 7, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 8, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 9, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 10, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 11, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 12, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 13, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat 14, Landcross House, 1A Landcross Road, Manchester, M14 6LZ
Flat Above, 5 - 7 Wilbraham Road, Manchester, M14 6JS
Flat 11, 5A Wilbraham Road, Manchester, M14 6JS
Flat 6, 11 Wilbraham Road, Manchester, M14 6JS
Flat 5, 11 Wilbraham Road, Manchester, M14 6JS
Flat 10, 5A Wilbraham Road, Manchester, M14 6JS
Flat 9, 5A Wilbraham Road, Manchester, M14 6JS
Flat 8, 5A Wilbraham Road, Manchester, M14 6JS
Flat 7, 5A Wilbraham Road, Manchester, M14 6JS
Flat 6, 5A Wilbraham Road, Manchester, M14 6JS
Flat 5, 5A Wilbraham Road, Manchester, M14 6JS
Flat 4, 5A Wilbraham Road, Manchester, M14 6JS
Flat 3, 5A Wilbraham Road, Manchester, M14 6JS
Flat 2, 5A Wilbraham Road, Manchester, M14 6JS
Flat 1, 5A Wilbraham Road, Manchester, M14 6JS
9 Wilbraham Road, Manchester, M14 6JS
260 Wilmslow Road, Manchester, M14 6JR
Flat 2, 11 Wilbraham Road, Manchester, M14 6JS
Flat 4, 9 Wilbraham Road, Manchester, M14 6JS
Flat 2, 9 Wilbraham Road, Manchester, M14 6JS
5C Wilbraham Road, Manchester, M14 6JS
14 Boland Drive, Manchester, M14 6DS
5 - 7 Wilbraham Road, Manchester, M14 6JS
256 Wilmslow Road, Manchester, M14 6LB
258 Wilmslow Road, Manchester, M14 6JR
Flat 4, 11 Wilbraham Road, Manchester, M14 6JS
Flat 3, 11 Wilbraham Road, Manchester, M14 6JS
Flat 1, 11 Wilbraham Road, Manchester, M14 6JS
Flat 5, 9 Wilbraham Road, Manchester, M14 6JS
Flat 3, 9 Wilbraham Road, Manchester, M14 6JS
Flat 1, 9 Wilbraham Road, Manchester, M14 6JS
5D Wilbraham Road, Manchester, M14 6JS
5B Wilbraham Road, Manchester, M14 6JS
12 Boland Drive, Manchester, M14 6DS

10 Boland Drive, Manchester, M14 6DS

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

Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Fallowfield Central)

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA