

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136577/TEL/2023

Date registered valid: 24 March 2023

Proposal: Prior approval for the installation of a 20m high telecommunications monopole comprising 6 no antennas and 2 no dishes together with 2 no. ground based cabinets and associated ancillary development

Address: Pavement On Great Southern Street To The South Of 47 Ossory Street, Great Southern Street, Manchester, M14 4BX

Ward(s): Moss Side Ward

Applicant: Cornerstone

Agent (if any): Helen Spoors, Perry Williams

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 16.05.2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 14 April 2023

Standard consultations:

Printed: 28 March 2023 Expired: 18 April 2023

Neighbour notifications

Printed: 28 March 2023 Expired: 18 April 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to the pavement on Great Southern Street opposite the residential street of Ossory Street within Moss Side, Manchester. The proposal would be sited on the southern side of the pavement, with open greenspace to the rear of the application site. Two storey residential properties occupy the northern side of Great Southern Street.

The surrounding area is predominately residential in nature with residential dwellings encompassing the area around the application site along Great Southern Street with the greenspace located directly to the south of the application site. The site is not located within a conservation area nor any designated Article 2(3) land or within the setting of a listed building.

Supporting information provided with the application explains how other locations had been considered and discounted when choosing a suitable site. A list of the other options are presented.

Description of development

The proposal seeks prior approval for the installation of a 20metre high, 5G telecommunication monopole and associated equipment cabinets.

Consultations & Notification Responses

Local residents were notified however none responded.

Highways Comments:

Both the monopole and associated antennas and cabinets appear to be placed at the back of the adopted footway. However, it is unclear how large the equipment is and how much footway will be used. Clarification is sought to confirm there will be an unobstructed clearance of 2m (at a minimum) from the equipment to any adjacent street furniture and the edge of carriageway, to cater for pedestrians and wheelchair/buggy users.

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.

It is understood that the proposals would require a minimal level of routine servicing/maintenance (every two to three months) 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

Policy

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 10. Supporting high quality communications- Explains how planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. It specifically states that 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.

ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces. Where development is not well designed, it should be refused.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which 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. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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 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.

Policy SP1 (Spatial Principles); which sets out 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, amongst these include: 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.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policy is of relevance in the consideration of this application:

Policy DC17.1 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 in 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.

Planning Supporting Documents: Inclusive Mobility; A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure. This document is a guide to best practice on access to pedestrian and transport infrastructure. The following is of relevance in the consideration of this application:

4.2 Width and height clearance states that footways and footpaths should be made as wide as is practicable, but under normal circumstances, a width of 2000mm is the minimum that should be provided, as this allows enough space for two wheelchair users to pass, even if they are using larger electric mobility scooters. If this is not feasible due to physical constraints, then a minimum width of 1500mm could be regarded as the minimum acceptable under most circumstances, as this should enable a wheelchair user and a walker to pass each other. Where there is an obstacle, such as lamp columns, sign posts or electric vehicle charging points, the

absolute minimum width should be 1000mm, but the maximum length of such a restricted space should be 6 metres.

Issues

Principle of Development

The Town and Country Planning (General Permitted Development) (England) Order 2015 confers 'permitted development rights' for certain types of telecommunications development. These permitted development rights remove the need to submit a full planning application for masts and equipment of the type proposed.

This means that the Local Planning Authority can only control the details of the siting, design and external appearance of a telecommunication development, as the acceptability of the principle of the development is already established.

The principal issue relates to the impact upon visual amenity and upon the character and appearance of the area, as consequence of the siting and appearance of the proposed installation.

In this case, given the prevailing policy and Government support for telecommunication installations coupled with the siting and appearance of the proposed installation in the case, the principle of the proposal is considered satisfactory. The public benefits of a greatly enhanced communications network for businesses, residents and visitors alike in this location, would also qualify as a considerable positive that would contribute to the wider economic output of the area, as well as social improvements.

As such, it is considered that the proposal complies with the overarching policy framework which outlines a general presumption in favour of telecommunication development. It is necessary however to further assess the appropriateness of the siting and appearance of the proposed equipment, as outlined below.

Siting and Appearance

The application site relates to the pavement situated along the southern side of Great Southern Street. The application site sits directly opposite the two storey rear gable wall of 47 Ossory Street, the property would be sited approx. metres away from the proposal. Due to the distance and the positioning of fenestration elements along the rear gable wall, no significant visual implications are considered to be caused and the siting of the proposal is considered acceptable. The introduction of a tall structure would always to some degree be noticeable, particularly by passers-by and nearby residents. This does not necessarily mean there would be any harm or that would be an overwhelming, undue impact. The proposal at an immediate level is not considered to create significant adverse implications. Therefore, the surrounding properties are not considered to be adversely impacted.

Furthermore, the impact to neighbours has been minimised since the mast is 20 metres high, whilst prior approval would allow a mast of 30 metres in height, on non-protected land. The design of the proposed installation is considered to create minimal impact and is unlikely to be significantly intrusive or noticeably detectable beyond the immediate area. As such, the impact is not considered so significant to have an undue impact upon either the appearance of the area or upon residential amenity. It is also to be noted no objections from residents or local councillors were received.

Impact on Health

The role of the planning system is not to duplicate existing controls under other legislation and is not the place to determine health safeguards. It is the Government's view that if a proposed development conforms to International Compliance for Public Exposure Guidelines for Public Exposure to Electromagnetic Fields established by the International Commission on Non Ionising Radiation Protection (ICNIRP), further consideration of this issue should not be necessary by the Local Planning Authority.

It should also be noted that within the letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Sport, dated 24 May 2021, it is stated that the Government's independent advisers on matters of public health, are clear that there is no credible evidence of a negative impact of mobile technology, including 5G on people's health. Central to PHE's advice are the guidelines published by the International Commission on Non Ionizing Radiation Protection (ICNIRP), which is formally recognised by the World Health Organisation.

Access

As mentioned above Highways commented that both mast and equipment appear to be placed towards the back of the adopted footway, retaining an unobstructed clearance of 1.68 m from the edge of the carriageway. This complies with relevant policy stated in the General Permitted Development Order and the guidance document 'Inclusive Mobility' issued by the Department for Transport that stipulates the following *a minimum width of 1.5m could be regarded as the minimum acceptable due to physical constraints, and where there is an obstacle such as lamp columns, sign posts, or electric vehicle charging points, the absolute minimum width should be 1m, but the maximum length of such a restricted space should be 6 metres*. As such the proposed mast and associated equipment meets the GPDO requirements and therefore there are no additional concerns regarding pedestrian safety with no access issues would arise from the proposal.

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

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 referenced SITE PLANS AND ELEVATIONS ref. X4 received by the City Council as Local Planning Authority On 24 March 2023, together with accompanying documents.

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).

Informatives

Detail is sought on proposed installation arrangements from a highways perspective. 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

56 Heald Avenue, Manchester, M14 4HH
50 Heald Avenue, Manchester, M14 4HH
66 Heald Avenue, Manchester, M14 4HH
10 Heald Avenue, Manchester, M14 4HJ
62 Heald Avenue, Manchester, M14 4HH
60 Heald Avenue, Manchester, M14 4HH
54 Heald Avenue, Manchester, M14 4HH
44 Heald Avenue, Manchester, M14 4HH
11 Hartlepool Close, Manchester, M14 4HG
47 Ossory Street, Manchester, M14 4BX
45 Ossory Street, Manchester, M14 4BX
43 Ossory Street, Manchester, M14 4BX
37 Ossory Street, Manchester, M14 4BX
32 Ossory Street, Manchester, M14 4BX
52 Heald Avenue, Manchester, M14 4HH
58 Heald Avenue, Manchester, M14 4HH
26 Heald Avenue, Manchester, M14 4HH
39 Ossory Street, Manchester, M14 4BX
34 Ossory Street, Manchester, M14 4BX
19 Graythorp Walk, Manchester, M14 4HN
12 Heald Avenue, Manchester, M14 4HJ
48 Heald Avenue, Manchester, M14 4HH
38 Heald Avenue, Manchester, M14 4HH
32 Heald Avenue, Manchester, M14 4HH
28 Heald Avenue, Manchester, M14 4HH
22 Heald Avenue, Manchester, M14 4HH
41 Ossory Street, Manchester, M14 4BX
36 Ossory Street, Manchester, M14 4BX
30 Ossory Street, Manchester, M14 4BX
17 Graythorp Walk, Manchester, M14 4HN
18 Heald Avenue, Manchester, M14 4HJ
16 Heald Avenue, Manchester, M14 4HJ
14 Heald Avenue, Manchester, M14 4HJ
64 Heald Avenue, Manchester, M14 4HH
46 Heald Avenue, Manchester, M14 4HH
42 Heald Avenue, Manchester, M14 4HH
40 Heald Avenue, Manchester, M14 4HH
36 Heald Avenue, Manchester, M14 4HH
34 Heald Avenue, Manchester, M14 4HH
30 Heald Avenue, Manchester, M14 4HH
24 Heald Avenue, Manchester, M14 4HH
20 Heald Avenue, Manchester, M14 4HH
13 Hartlepool Close, Manchester, M14 4HG
8 Hartlepool Close, Manchester, M14 4HG
6 Hartlepool Close, Manchester, M14 4HG
4 Hartlepool Close, Manchester, M14 4HG
2 Hartlepool Close, Manchester, M14 4HG
8 Flamborough Walk, Manchester, M14 4HD
6 Flamborough Walk, Manchester, M14 4HD
4 Flamborough Walk, Manchester, M14 4HD

2 Flamborough Walk, Manchester, M14 4HD
44 Great Southern Street, Manchester, M14 4EZ
35 Deramore Street, Manchester, M14 4DT
9 Hartlepool Close, Manchester, M14 4HG
33 Deramore Street, Manchester, M14 4DT
31 Deramore Street, Manchester, M14 4DT
29 Deramore Street, Manchester, M14 4DT

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
Area Team Boundary - Name: SOUTH AREA