

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135306/FO/2022

Date registered valid: 27 October 2022

Proposal: Removal of 3 no. existing antennas to be replaced with 6 no. new antennas and other associated ancillary works thereto.

Address: Linley House, Dickinson Street, Manchester, M1 4LF

Ward(s): Piccadilly Ward

Applicant: Mobile Network Broadband Limited 6th Floor Thames Tower, Station Road, Reading, RG1 1LX

Agent (if any): Miss Mandy Poon Avison Young 3rd & 4th Floor Norfolk House, 7 Norfolk Street, Manchester, M2 1DW

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29/12/2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 9 November 2022 Expired: 30 November 2022

Site notice

Posted: Expired: Posted: 10 November 2022 Expired: 1 December 2022

Press advert

Published: 15 November 2022 Expired: 6 December 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order: n/a

Description of area

The application site is a large, modern, detached 9-storey office building with open car parking areas to the south and to the east of the site. The application site is within the Whitworth Street Conservation Area and is surrounded by several Grade II listed buildings. There is a significant amount of telecommunications apparatus already sited on the rooftop of this building.

Description of development

The proposal is for the removal and replacement of 3No. existing antennas with 6No. upgraded antennas located on the existing stub lattice tower on the rooftop and associated ancillary works.

Consultations & Notification Responses

Highways – No objections

Environmental health – No objections provided equipment cabinets for any new plant are internal

Publicity - The application has been advertised in the local press and on site as one affecting a listed building and a conservation area. No representations have been received as a result of this publicity.

Neighbours - Occupiers of properties surrounding the application site were notified of the proposal.

One representation has been received, requesting further information regarding the works including the equipment to be used for installation and the duration of the works. This information is not considered to be pertinent to concerns around planning permission.

Issues

The main issues for consideration relate to the acceptability of the proposals in terms of the impact on visual amenity, in particular the impact on the character and appearance of the surrounding conservation area and adjacent listed buildings, the need for the equipment and residential amenity, including the compliance with ICNIRP legislation. The main policies that relate to this proposal are Section 10 (Supporting High Quality Communications), Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2018), policies EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC17.1 (Telecommunications), and DC18.1 (Conservation Areas) of the Unitary Development Plan for the City of Manchester.

Visual Amenity

The need to provide adequate network coverage is recognised. The principle of locating telecommunications equipment on this building is accepted, as demonstrated by previous approvals for telecommunications equipment on the site. The proposed site on the Linley House rooftop is considered preferable to a location on the surrounding historic buildings many of which are listed. The proposal is to upgrade the existing equipment, and as such it is not necessary to provide information of other sites considered. The site selection process was carried out on previous applications for telecommunications equipment installations at this location.

The proposed development would consist of the removal and replacement of 3No. existing antennas with 6No. upgraded antennas located on the existing stub lattice tower on the rooftop and associated ancillary works.

The scheme as a whole is considered to be acceptable in terms of the siting, design, location, scale and appearance. The rooftop location of the equipment will minimise the impact on the building elevations and the surrounding street scene of the conservation area, thereby minimising harm to visual amenity. The precedent for siting telecoms equipment on the rooftop is already established, and this location is considered preferable to siting equipment on the surrounding Listed Buildings. Although the new antennas will be taller than the pre-existing equipment, it is expected that this change will have little impact on visual amenity at street level.

Given the above, the works are considered to be in accordance with Sections 10 and 16 of the National Planning Policy Framework (2018), policies EN3 (Heritage), CC9 (Design and Heritage), EN1 (Design Principles and Strategic Character Areas), SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies E3.3 (Environmental Improvement and Protection), DC17.1 (Telecommunications), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Residential Amenity

The siting, design and appearance of the equipment is not considered to be detrimental to visual amenity of nearby residents as discussed above. The applicant has provided evidence of International Commission on Non-Ionizing Radiation Protection (ICNIRP) certification in relation to health and safety for surrounding residents. The applicant has confirmed that no new external plant will be installed, so the acoustic impact should be minimised.

Given the above, the works are considered to be in accordance with Section 10 of the National Planning Policy Framework (2018), policy DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC17.1 (Telecommunications), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

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:

-Drawings - Existing & Proposed - X5 Drawings - Site Plan and Elevations Inc. Location Plan Master drawing no.: 801283_MAN079_66226_M0246_M005 Issue E received by the city council as local planning authority on 27/10/2022.

-Supporting information - Planning, design and access statement prepare by Avison Young received by the city council as local planning authority on 27/10/2022
-Supporting information - Declaration of Conformity with ICNIRP Public Exposure Guidelines received by the city council as local planning authority on 27/10/2022

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) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Saved UDP policy DC26 policies SP1 and DM1 of the Core Strategy.

Informatives

1) The applicant should ensure that all related vehicles take into consideration of the surrounding parking restrictions.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Environmental Health

First Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Third Floor, Beaver House, 125 Portland Street, Manchester, M1 4QA
Second Floor, Beaver House, 125 Portland Street, Manchester, M1 4QD
Ninth Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Second Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
First Floor, Beaver House, 125 Portland Street, Manchester, M1 4QA
Flat 22, 2 Harter Street, Manchester, M1 6HY
Fourth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
58 - 60 Whitworth Street, Manchester, M1 6JQ
Flat 24, China House, 14 Harter Street, Manchester, M1 6HP
China House, 14 Harter Street, Manchester, M1 6HP
Flat 4, 2 Harter Street, Manchester, M1 6HY
Grd Floor Suite G01, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LS
Ninth Floor Suite 904, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Seventh Floor Royscot Retailer Serv Ltd, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Tenth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Ninth Floor Suite 903, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Fifth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LS
Sixth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Ground Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Sixth Floor, St. James Building, 79 Oxford Street, Manchester, M1 6HT
Suites 101 To 103, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
117 - 119 Portland Street, Manchester, M1 6ED
Ground Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Third Floor Front Right, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Third Floor Suite 301, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Sub Basement, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Third Floor Suite 306, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Ninth Floor Suites 902 And 902A, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Ninth Floor Suite 905, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Beaver House, 125 Portland Street, Manchester, M1 4QD
Flat 14, China House, 14 Harter Street, Manchester, M1 6HP
Flat 7, China House, 14 Harter Street, Manchester, M1 6HP
Flat 2, China House, 14 Harter Street, Manchester, M1 6HP
Flat 12, China House, 14 Harter Street, Manchester, M1 6HP
Flat 9, China House, 14 Harter Street, Manchester, M1 6HP
Flat 4, China House, 14 Harter Street, Manchester, M1 6HP
Flat 35, China House, 14 Harter Street, Manchester, M1 6HP
Flat 19, China House, 14 Harter Street, Manchester, M1 6HP
Flat 17, China House, 14 Harter Street, Manchester, M1 6HP
Ninth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Seventh Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Palace Theatre, Oxford Street, Manchester, M1 6FT
Third Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LS
81 Oxford Street, Manchester, M1 6EG

Basement Store, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Seventh Floor, St. James Building, 79 Oxford Street, Manchester, M1 6HT
Second Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Fourth Floor, St. James Building, 79 Oxford Street, Manchester, M1 6HT
St James Court, Oxford Street, Manchester, M1 6FQ
First Floor Suite 7, St James Court, Oxford Street, Manchester, M1 6FQ
First Floor Suite 2, St James Court, Oxford Street, Manchester, M1 6FQ
First Floor Suite 8-9, St James Court, Oxford Street, Manchester, M1 6FQ
Suite 1, St James Court, Oxford Street, Manchester, M1 6FQ
Second Floor Suite 201, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Seventh Floor Suites 701-705, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Flat 18, 2 Harter Street, Manchester, M1 6HY
Flat 17, 2 Harter Street, Manchester, M1 6HY
Flat 15, 2 Harter Street, Manchester, M1 6HY
Fourth Floor Suite 4C, 113 - 115 Portland Street, Manchester, M1 6DW
Fourth Floor, Linley House, Dickinson Street, Manchester, M1 4LF
First Floor, St James Building, 79 Oxford Street, Manchester, M1 6PP
Fourth Floor And Fifth Floor, Beaver House, 125 Portland Street, Manchester, M1 4QA
Flat 32, China House, 14 Harter Street, Manchester, M1 6HP
Flat 18, China House, 14 Harter Street, Manchester, M1 6HP
Flat 10, China House, 14 Harter Street, Manchester, M1 6HP
Flat 1, China House, 14 Harter Street, Manchester, M1 6HP
Flat 12, 2 Harter Street, Manchester, M1 6HY
Flat 3, 2 Harter Street, Manchester, M1 6HY
MY HOME MOVE LTD, Fifth And Sixth Floor, Linley House, Dickinson Street, Manchester, M1 4LF
First Floor, 113 - 115 Portland Street, Manchester, M1 6DW
Flat 39, China House, 14 Harter Street, Manchester, M1 6HP
Flat 36, China House, 14 Harter Street, Manchester, M1 6HP
Flat 19, 2 Harter Street, Manchester, M1 6HY
Flat 6, 2 Harter Street, Manchester, M1 6HY
Flat 5, 2 Harter Street, Manchester, M1 6HY
Basement And Ground Floor, 113 - 115 Portland Street, Manchester, M1 6DW
Second And Third Floor, Linley House, Dickinson Street, Manchester, M1 4LF
Ground Floor Suite G02, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Ground Floor Front, Beaver House, 125 Portland Street, Manchester, M1 4QA
Ground Floor Rear, Beaver House, 125 Portland Street, Manchester, M1 4QA
Basement Office, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Fifth Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6EQ
Flat 38, China House, 14 Harter Street, Manchester, M1 6HP
Flat 37, China House, 14 Harter Street, Manchester, M1 6HP
Flat 9, 2 Harter Street, Manchester, M1 6HY
Flat 10, 2 Harter Street, Manchester, M1 6HY
Flat 8, 2 Harter Street, Manchester, M1 6HY
Flat 7, 2 Harter Street, Manchester, M1 6HY
Flat 11, 2 Harter Street, Manchester, M1 6HY
Flat 1, 2 Harter Street, Manchester, M1 6HY
Flat 2, 2 Harter Street, Manchester, M1 6HY
Suite 4B Fourth Floor, 113 - 115 Portland Street, Manchester, M1 6DW
64 Whitworth Street, Manchester, M1 6LT
62 Whitworth Street, Manchester, M1 6LT
Flat 33, China House, 14 Harter Street, Manchester, M1 6HP
Flat 25, China House, 14 Harter Street, Manchester, M1 6HP

Flat 5, China House, 14 Harter Street, Manchester, M1 6HP
Flat 16, 2 Harter Street, Manchester, M1 6HY
Flat 14, 2 Harter Street, Manchester, M1 6HY
Flat 13, 2 Harter Street, Manchester, M1 6HY
Second Floor, 113 - 115 Portland Street, Manchester, M1 6DW
Flat 26, China House, 14 Harter Street, Manchester, M1 6HP
Flat 23, China House, 14 Harter Street, Manchester, M1 6HP
Fourth Floor Right, 113 - 115 Portland Street, Manchester, M1 6DW
Flat 21, China House, 14 Harter Street, Manchester, M1 6HP
Flat 15, China House, 14 Harter Street, Manchester, M1 6HP
Flat 21, 2 Harter Street, Manchester, M1 6HY
Eighth Floor, St James Buildings, 79 Oxford Street, Manchester, M1 6FQ
Flat 34, China House, 14 Harter Street, Manchester, M1 6HP
Flat 22, China House, 14 Harter Street, Manchester, M1 6HP
Flat 16, China House, 14 Harter Street, Manchester, M1 6HP
Flat 13, China House, 14 Harter Street, Manchester, M1 6HP
Flat 20, 2 Harter Street, Manchester, M1 6HY
Flat 31, China House, 14 Harter Street, Manchester, M1 6HP
Flat 30, China House, 14 Harter Street, Manchester, M1 6HP
Flat 28, China House, 14 Harter Street, Manchester, M1 6HP
Flat 27, China House, 14 Harter Street, Manchester, M1 6HP
Flat 20, China House, 14 Harter Street, Manchester, M1 6HP
Flat 8, China House, 14 Harter Street, Manchester, M1 6HP
Flat 3, China House, 14 Harter Street, Manchester, M1 6HP
Ground Floor Left, 113 - 115 Portland Street, Manchester, M1 6DW
Third Floor, 113 - 115 Portland Street, Manchester, M1 6DW
Third Floor, St. James Building, 79 Oxford Street, Manchester, M1 6FQ
Eighth Floor, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6LT
Basement, Bridgewater House, 58 - 60 Whitworth Street, Manchester, M1 6JQ
Flat 40, China House, 14 Harter Street, Manchester, M1 6HP
Flat 29, China House, 14 Harter Street, Manchester, M1 6HP
Flat 11, China House, 14 Harter Street, Manchester, M1 6HP
Flat 6, China House, 14 Harter Street, Manchester, M1 6HP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Whitworth Street Conservation Area 1985
Area Team Boundary - Name: CENTRAL