

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135589/TEL/2022

Date registered valid: 25 November 2022

Proposal: Proposed 5G telecoms installation: H3G 16m street pole and additional equipment cabinets

Address: Leestone Road Street Works, Leestone Road, Manchester, M22 4RN

Ward(s): Sharston Ward

Applicant: Gallivan CK Hutchison Networks (UK) Ltd

Agent (if any): Mr Tom Gallivan Dot Surveying Ltd

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 January 2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 19 December 2022

Standard consultations:

Printed: 9 December 2022 Expired: 30 December 2022

Neighbour notifications

Printed: 9 December 2022 Expired: 30 December 2022

Site notice

Posted: Expired:

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The site is located in a commercial/Industrial area known as Sharston Industrial Estate, positioned at the back of footway of Leestone Road, a main road running through the Industrial Estate. A single storey industrial building provides the backdrop for the proposed monopole. There are also other linear structures along Leestone Road, including lighting columns and a CCTV column. To the south of the industrial estate lies the M56 Motorway.

The submitted application seeks prior approval for the installation of a proposed 5G telecom's installation: H3G 16m street pole and additional equipment cabinets.

Consultations & Notification Responses

The occupiers of the surrounding buildings were consulted, and no representations were received.

The proposal was advertised in the public interest and a site notice was erected close to the site and no representations were received.

The Highways Team were consulted and commented the proposed equipment is to be positioned to the back of the footway, retaining an unobstructed clearance of 2m (minimum) from the edge of the carriageway, this is acceptable to Highways.

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.

Operatives undertaking servicing / maintenance thereafter will be expected to comply fully with the relevant traffic laws, including any local parking and movement restrictions.

Issues

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.

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England.

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.

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

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 Framework has been related to the proposed development, with particular emphasis given to the following:

Section 10 Supporting high quality communications infrastructure - 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. 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. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

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. 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.

iii. Paragraph 117 - States that 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. This should include:

(a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

(b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or

(c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met. 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 - It is noted that there are a number of street lighting columns, in the vicinity of the site along with other street furniture including a CCTV monopole next to the site.

The applicant has applied the sequential test to the provision of new and upgraded telecoms equipment and is utilising the existing site in line with NPPF guidelines.

In this location, the applicant considers that the nearest base stations are not therefore capable of supporting additional equipment to extend coverage across the target area. Other sites have been identified and subsequently discounted. The applicants do not feel that there is an alternative suitable location, and the new installation is considered the best technical and environmental solution which will enable the operator to address the current coverage deficiency in this area.

Reason the Proposal is Consistent with DM1 Development Management

This proposal seeks consent for the installation of the 16-metre mast that would be situated in front of a single storey industrial type building with a grass verge and a boundary fence between the proposed structure and the nearest building. The mast would be positioned at the back of the footpath. There are a number of street lighting columns along this part of Leestone Road. The introduction of the mast at this location is considered to be acceptable as it does not appear to be at odds within the setting. There has been an attempt to rationalise the acceptability of the mast as it is considered to some extent mimic the appearance of existing street lighting

columns. The slim nature of the design does not detract visually from within the street scene. The street scene also benefits from visual presents included trees and foliage, and the appearance of the mast when viewed collectively with the green backdrop softens the appearance of the mast by allowing the structure to blend with its surroundings. It is considered that the proposal has an acceptable impact on the surrounding in terms of its design, scale and appearance and has regard to the character of the surroundings.

Policy DM 1 states that neighbourhoods should be fully accessible and the positioning if this proposal allows adequate access for able, disabled and ambient disabled people using the footpath. A 2m gap is maintained between the equipment and kerb which allows sufficient unimpeded use of the footpath, consistent with DM1 and requirements specified by environmental health.

Policy DM 1 sets out effects relating to landscape. The area of greenery behind the site is considered to make a positive contribution to the area in terms of providing a pleasing aesthetic in an otherwise other utilitarian location. The installation of the mast does not significantly detract from the landscaped area in front of which it lies and therefore is compliant with the DM1.

For the reason set out above the proposal complies with Policy DM1.

Policy SP1 - Spatial Principles

This Policy refers to the key spatial principles which will guide the strategic development of Manchester to 2027, together with Core Development Principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. All development should have regard to the character, issues and strategy for each regeneration area as described in the Strategic Regeneration Framework and the Manchester Strategic Plan.

The proposal is considered to make a positive contribution to the health and wellbeing of residents as the advancement of, high quality and reliable communications infrastructure is essential for economic growth and social well-being. High quality digital infrastructure provides access to services from a range of providers which enable communities to function effectively. Furthermore, SP1 states that all development should protects all members of the community and enhance and protect the built environment. The site and appearance of the telecoms structure has been designed and positions to have the least visual impact whilst providing a coverage within the area and by omitting other more visually intrusive locations. Therefore, the proposal is considered to protect the environment in which it is located and is in accordance with policy SP1 of the core strategy for Manchester.

Unitary Development Plan

The Unitary Development Plan has been largely replaced by the Core Strategy for Manchester. However, several policies within the UDP have been saved by way of a Secretary of State Saving Direction and remain extant as material considerations in the planning process. The following policies are of relevance to the present application:

DC17.1 Telecommunications

DC17.1 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.

The proposal accords with policy DC17 as consideration has been given to the location of the structure as the positioning has been identified as being necessary in meeting specific technical and operational requirements and would be positioned to minimise any impact upon residential amenity and the environment.

Principle and Conclusion.

A theme running through the National Planning Policy Framework is the commitment to ensuring sustainable economic growth. This includes the advancement of infrastructure and the use of smarter technologies.

Paragraph 112 in particular states that "Advanced, high-quality communications infrastructure is essential for sustainable economic growth and social well-being".

Saved policy DC17.1 of the UDP looks to support telecommunication development, subject to minimising any impact upon the residential amenity and the environment.

Given the above, the proposal complies with the overarching policy framework which outlines a general presumption in favour of telecommunication development. The proposal has therefore been designed so not to have a material or further impact upon residential amenity or the local environment.

Other Matters to Consider

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. 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.

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. In this instance the Local Planning Authority requested further information and drawings relating to the proposal and has attached appropriate conditions to the approval.

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

1) The City Council is satisfied that this development has been sited and designed to minimise the impact on 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, 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.

Consent is hereby granted in accordance with the following drawings and documents:

002 Site and Location Plan, 215 Issue A and 265 Issue A,

Declaration of Conformity with ICNIRP Public Exposure Guidelines,

Site Specific Supplementary Information Document dated 25 November 2022.

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).

Appendix 1 – List of consultees & neighbours notified

Highway Services

G Fit Personal Training, Leestone Road, Manchester, M22 4RN
Crompton Parkinson Ltd, Longley Lane, Manchester, M22 4HT
Diamond Hand Car Wash And Tyre Service, Leestone Road, Manchester, M22 4RB
Stagecoach Bus Depot, Leestone Road, Manchester, M22 4RB
Building 7, Leestone Road, Manchester, M22 4RF
International Transformers, Longley Lane, Manchester, M22 4RU
Delta Point, Leestone Road, Manchester, M22 4SA
Cardinal Maritime Southern Ltd, Leestone Road, Manchester, M22 4RB
Ital Logistics, Leestone Road, Manchester, M22 4RB
Unique Logistics International Ltd, Leestone Road, Manchester, M22 4RB
Minara Food Limited, Leestone Road, Manchester, M22 4RB

Appendix 2 – Planning constraints

Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH AREA