

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135651/TEL/2022

Date registered valid: 2 December 2022

Proposal: Erection of a 20m slim-line column supporting 6 no. antennas, 2no. 300mm Transmission Dishes and 3no. Remote Radio Units (RRUs), with 2no. equipment cabinets at the base and ancillary development

Address: Corner Of Copthorne Crescent/Brynton Road, Manchester, M13 0QY

Ward(s): Rusholme Ward

Applicant: Cornerstone

Agent (if any): Mr Jamaal Hafiz, Clarke Telecom

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

Recommendation: Approve

Date of recommendation: 24.01.2023

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 24.01.2023

Standard consultations:

Printed: 20 December 2022

Expired: 10 January 2023

Neighbour notifications

Printed: 20 December 2022

Expired: 10 January 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

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site relates to a large pavement area located on the south western corner of the junction of Copthorne Crescent and Brynton Road in the Rusholme ward of Manchester. The surrounding area is predominantly comprised of two storey red brick semi-detached dwellinghouses. The residential properties sited on the corner generally have their windows facing away from the application site with only side gable wall windows serving downstairs rooms bathrooms and landings facing towards the site.

Description of development

The application proposals are for the installation of a 20m high telecommunications mast together with associated cabinets. The mast and cabinets are proposed to be finished in an appropriate colour and would be sited on the pavement on the corner. The mast is of a similar design to other masts installed within the city to provide 5G mobile coverage for EE and H3G networkoperators on a shared mast.

Consultations & Notification Responses

Letters were sent to 82 nearby properties notifying them of the proposals. No responses were received.

MCC Highways - 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 and existing street furniture, 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.

Detail is sought on proposed installation arrangements from a highways perspective. The applicant is advised that any requirements for temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Policies

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

There are specific sections of the NPPF relevant to the consideration of the application proposals.

Chapter 2. Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

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):

- 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 a well-designed and safe built environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in

guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

11. Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 10. Supporting high quality communications

114. 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).

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.

116. Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:

- a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
- b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

117. 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.

118. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

Local Development Framework - Core Strategy Development Plan Document (adopted July 2012)

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 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 Saved Policies

DC17 Telecommunications 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.

Principle

The Council supports the principle of improving telecommunications coverage within

the City, however, in doing so it seeks to ensure that the amenity of residents is not impacted upon to an unacceptable degree.

The proposal falls within Part 16, Class A - 'Electronic communications code operators', of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This requires that Local Planning Authorities assess whether prior approval is required for the siting and appearance of the development.

The applicant has indicated that the proposals forms an integral part for the applicant to expand their respective 5G telecommunications network across Manchester and that they are unable to utilise the existing rooftop site at 81 Beresford Road due to ICNIRP and structural reasons.

Siting

Following assessment of the proposal and the proposed siting of the telecoms mast and associated cabinets it is considered that the development would not give rise to harmful impact to visual or residential amenity. The proposal has been sited to minimise its visual impacts and would ensure uninterrupted pedestrian flows on the pavement.

It is considered that the siting and distance from properties would ensure that the installation would not form an overbearing or overly dominant feature adjacent the road or in the area and has been chosen to minimise impacts on residential and visual amenity.

Appearance

It is acknowledged that the mast would form a new structure that would be taller than similar street furniture, particularly street lighting and trees. The width of the mast together with the proposed finish (grey) would assist in assimilating the structure into the street scene.

The site is not located within an environmentally sensitive area.

The mast and associated equipment cabinets have been sited to provide the required infrastructure and network coverage for the area and to minimise the visual impacts of the installation. Given the location of the mast it is not considered that the installation would give rise to harmful visual clutter.

It is acknowledged that the mast and cabinets would result in a visual change, this change is not in this instance considered as so harmful as to warrant refusal of the proposal in terms of its siting and appearance as set out above.

Health

The application has been accompanied by an ICNIRP declaration and National Planning Policy indicates it is not the local planning authority's role to set health safeguards different from the International Commission guidelines for public exposure.

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 that this development has been sited and designed to minimise the impact on residential amenity and the visual amenity of the surrounding area. 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. Therefore, consent is hereby granted in accordance with the information accompanying application received on the December 2022:

- Application for prior notification forms;
- Drawings references: 215 Proposed Site Plan; 265 Proposed Site Elevation Master Drawing Number 1646418_MAN499_79985_M002 Issue B.
- Site Specific Supplementary Information
- ICNIRP Certificate

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

11 Brynton Road, Manchester, M13 0RB
16 Brynton Road, Manchester, M13 0RB
12 Brynton Road, Manchester, M13 0RB
34 Copthorne Crescent, Manchester, M13 0QZ
51 Copthorne Crescent, Manchester, M13 0QY
41 Copthorne Crescent, Manchester, M13 0QY
4 Grinton Avenue, Manchester, M13 0QS
28 Copthorne Crescent, Manchester, M13 0GZ
33 Brynton Road, Manchester, M13 0GY
23 Brynton Road, Manchester, M13 0GY
32 Brynton Road, Manchester, M13 0GY
28 Brynton Road, Manchester, M13 0GY
20 Brynton Road, Manchester, M13 0GY
14 Brynton Road, Manchester, M13 0RB
33 Copthorne Crescent, Manchester, M13 0RA
27 Copthorne Crescent, Manchester, M13 0RA
46 Copthorne Crescent, Manchester, M13 0QZ
40 Copthorne Crescent, Manchester, M13 0QZ
7 Hetton Avenue, Manchester, M13 0GS
1 Hetton Avenue, Manchester, M13 0GS
23 Copthorne Crescent, Manchester, M13 0RA
17 Copthorne Crescent, Manchester, M13 0RA
30 Copthorne Crescent, Manchester, M13 0GZ
24 Copthorne Crescent, Manchester, M13 0GZ
36 Brynton Road, Manchester, M13 0GY
9 Brynton Road, Manchester, M13 0RB
15 Brynton Road, Manchester, M13 0RB
13 Brynton Road, Manchester, M13 0RB
10 Brynton Road, Manchester, M13 0RB
35 Copthorne Crescent, Manchester, M13 0RA
31 Copthorne Crescent, Manchester, M13 0RA
29 Copthorne Crescent, Manchester, M13 0RA
25 Copthorne Crescent, Manchester, M13 0RA
48 Copthorne Crescent, Manchester, M13 0QZ
44 Copthorne Crescent, Manchester, M13 0QZ
42 Copthorne Crescent, Manchester, M13 0QZ
38 Copthorne Crescent, Manchester, M13 0QZ
36 Copthorne Crescent, Manchester, M13 0QZ
55 Copthorne Crescent, Manchester, M13 0QY
53 Copthorne Crescent, Manchester, M13 0QY
49 Copthorne Crescent, Manchester, M13 0QY
47 Copthorne Crescent, Manchester, M13 0QY
45 Copthorne Crescent, Manchester, M13 0QY
43 Copthorne Crescent, Manchester, M13 0QY
39 Copthorne Crescent, Manchester, M13 0QY
37 Copthorne Crescent, Manchester, M13 0QY
12 Grinton Avenue, Manchester, M13 0QS
11 Grinton Avenue, Manchester, M13 0QS
10 Grinton Avenue, Manchester, M13 0QS
9 Grinton Avenue, Manchester, M13 0QS

8 Grinton Avenue, Manchester, M13 0QS
6 Grinton Avenue, Manchester, M13 0QS
2 Grinton Avenue, Manchester, M13 0QS
11 Hetton Avenue, Manchester, M13 0GS
9 Hetton Avenue, Manchester, M13 0GS
5 Hetton Avenue, Manchester, M13 0GS
3 Hetton Avenue, Manchester, M13 0GS
17 Brynton Road, Manchester, M13 0GY
21 Copthorne Crescent, Manchester, M13 0RA
19 Copthorne Crescent, Manchester, M13 0RA
32 Copthorne Crescent, Manchester, M13 0GZ
26 Copthorne Crescent, Manchester, M13 0GZ
22 Copthorne Crescent, Manchester, M13 0GZ
20 Copthorne Crescent, Manchester, M13 0GZ
18 Copthorne Crescent, Manchester, M13 0GZ
40 Brynton Road, Manchester, M13 0GY
39 Brynton Road, Manchester, M13 0GY
38 Brynton Road, Manchester, M13 0GY
37 Brynton Road, Manchester, M13 0GY
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24 Brynton Road, Manchester, M13 0GY
22 Brynton Road, Manchester, M13 0GY
21 Brynton Road, Manchester, M13 0GY
19 Brynton Road, Manchester, M13 0GY
18 Brynton Road, Manchester, M13 0GY

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: SOUTH AREA