

WHP Telecoms Ltd

Telecommunication Appeal

for

CK Hutchison Networks (UK) Ltd

at

**Lightbowne Road,
Moston,
Manchester,
M40 5EF**

Appeal Statement

Date: 08/11/2022

Prepared by WHP Ltd
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Agents Ref: MAN24156

Hutchison 3G UK Ltd (Three UK)

Proposed 15m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works on land adjacent to Lightbowne Road, Moston, Manchester, M40 5EF

Appeal Statement of Case.

Contents:

1.0 Introduction

2.0 Procedural Matters

3.0 The Appeal Site / Context

4.0 Consideration / Justification

5.0 Discounted Options

6.0 Conclusions and Planning Balance

1.0 Introduction:

1.1 This appeal seeks the Inspectorate to consider the proposal for the siting and appearance of a proposed telecommunications installation. The proposal is a proposed 15m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works. This appeal seeks the Inspector to gauge whether the cited LPAs reasons for refusal are valid and outweigh the considerable benefits the development would deliver in terms of sustainability and provision of enhanced digital communication for residents and businesses in the cell search area.

1.2 The Appellant wishes to pursue the written representations appeal procedure.

1.3 In the reasons for refusal, as given by Manchester City Council in their decision notice 134893/TEL/2022 on the 13th October 2020, they state that:

1) ***The City Council is not satisfied that this development has been sited to allow satisfactory pedestrian access along the host footway. The proposed telecommunication mast and associated cabinets would reduce the width of the footway to 1.9 metres which is considered unacceptable, with the potential to impede access for pedestrians, including the users of wheelchairs and pushchairs. The proposed telecommunications equipment would therefore be contrary to policies DM1 and SP1 of the Manchester Core Strategy (2012), saved policy DC17.1 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (NPPF).***

1.4 The justification, reasoning and decision for the refusal of the Planning Application, by Manchester City Council are the subject of this appeal.

1.5 The Grounds for Appeal are:

- The proposal is in accordance with the National Planning Policies (NPPF)

The proposal is in accordance with Policies of the Development Plan (policies DM1 and SP1 of the Manchester Core Strategy (2012), saved policy DC17.1 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (NPPF)).

- As outlined in this supporting statement, the applicant is confident that the proposed telecommunications monopole and ancillary infrastructure would not, by virtue of its design, be detrimental to the amenity or character of the area, and that robust evidence has been provided to demonstrate the need for this location.

Key Issue/s

1.6 It is considered that the key issues for this appeal are:

- Whether the benefits of the appeal proposals outweigh the impact upon the character and amenity of the area (by virtue of its scale and position)

Technical Considerations

1.7 The published record of comments online suggests no statutory consultees have objected and no members of the public have objected.

2.0 **Procedural Matters**

- 2.1 This appeal follows written pre-application requests for feedback with the LPA and key Stakeholders, of which none were received prior to the submission of the Application. The local Ward Councillors and the LPA were consulted with prior to the submission of this application. Pre-application was undertaken for the scheme with no responses by the LPA or Ward Councillors prior to the submission of the application.
- 2.2 Three UK are in the process of building out the UK's fastest 5G network. Three UK has 140MHz of 5G spectrum (and 100MHz of it contiguous), which means their service will be much faster and able to handle more data. To bring this new technology to the people Three UK will need to provide a mix of upgrades to existing sites and the building of new sites. New sites will be needed for many reasons, including the fact that the higher radio frequencies used for 5G do not travel as far as those frequencies currently in use and that sometimes not all existing sites can be upgraded. In this area there is an acute need for a new mast to deliver the above.
- 2.3 It should be noted however, that the nature of 5G and the network services it provides, means the equipment and antennas required differ to the previous, and existing, service requirements. In particular, the nature of the antennas, and the separation required from other items of associated equipment, is such that it cannot utilise some existing structures that provide an installation for another operator, most notably in a street works or highways environment.

Future Telecoms Infrastructure Review

- 2.4 In 2018, the Government published its Future Telecoms Infrastructure Review, which outlined plans to extend full-fibre broadband coverage across the country by 2033 and for the majority of the population to have access to 5G mobile coverage by 2027. The Government's policies within this document are based on the fact that the existing telecoms infrastructure requires investment. Now that the UK has left the European Union, there is a significant focus from the Government on boosting the UK's productivity, and the Government has signalled 'levelling up' digital connectivity as pivotal to their plans. The approval of this Appeal, and other similar applications, will assist the Government in achieving their aspirations regarding the 5G network.

Public Benefits

- 2.5 As well as the Appeal proposals being in line with Government aspirations, there are also clear and demonstrable public benefits arising from the provision of a 5G network in the proposed location. Figure 3 below (extrapolated from the Government Published 'Future Telecoms Infrastructure Review') summaries the economic and social benefits that 5G coverage can generate, at both a macro and micro scale.

Figure 3.

Figure 3: Examples of potential benefits arising from 5G²¹

	Improved connectivity: Faster and more reliable 5G connectivity for users in a range of environments, including on road and rail networks, in dense areas and even at home. • Potential benefits: Increased consumer value and productivity gains
	New consumer devices and services: Smart devices and services enabled by 5G, from immersive media and entertainment through new healthcare wearables to connected and autonomous vehicles • Potential benefits: A variety of consumer and business benefits driven by innovation
	New IoT solutions: Opportunities for more advanced asset tracking, remote control, predictive maintenance and sensor-enabled optimisation of processes across sectors • Potential benefits: Increased productivity
	Smarter infrastructure and public services: Street lighting, traffic management systems, energy grids and other areas could be enhanced by 5G connectivity • Potential benefits: More efficient and secure service delivery, environmental benefits

Source: Deloitte (2018), 'The impacts of mobile broadband and 5G. A literature review'

3.0 The Appeal Site / Context:

- 3.1 The proposed site on highways land adjacent to Lightbowne Road, Moston, Manchester, M40 5EF. This planning application, which is the subject of this appeal, is purely to improve digital wireless, mobile coverage within this area with new equipment to facilitate 5G coverage. This planning application, which is the subject of this appeal, is purely to improve digital wireless, mobile coverage within this area with new equipment to facilitate 5G coverage. The proposal will involve the installation of a 5G 15m monopole and associated works.
- 3.2 It is proposed that the installation is to provide comprehensive digital coverage with a 5G installation, to facilitate significantly improved connectivity. Three UK utilise approved equipment and these installations are fully compliant with the NPPF.
- 3.3 The target coverage area includes the Moston area and has been carefully selected as a position capable of providing the required essential coverage. In addition to this, this site maintains a reasonable distance from more sensitive receptors whilst remaining within the constraints of the cell search area (the cell search area is very constrained geographically (as evidenced in the submitted SSSI and is a predominantly residential area (beyond that of the appeal site)). The appeal site is situated on highways land within an area commercial in nature benefitting from screening provided by the tyre and car wash canopy, and the established trees and bushes surrounding it.. The mature trees opposite and existing street furniture nearby which will help to prevent the site from appearing incongruous. The site has been strategically situated on a wide stretch of pavement away, as far as possible from sensitive receptors such as residential properties so as to prevent any infringement upon the view from such properties and the free flow of pedestrians within the area. The site has also been carefully selected in a position capable of providing essential new 5G coverage and associated internet provision for the area.
- 3.4 The location and position of the proposal is not identified as sensitive (e.g. Article 2 (3) land or in close proximity to any listed buildings, and the area is urban in character (the location and wider cell search area is dominated by residential uses). The site is located on highways land adjacent to Lightbowne Road, close to the tyre and car wash garage which has a canopy. There is street furniture (streetlights and a bus stop nearby) There are mature trees and bushes surrounding the garage and on the opposite side of the road. To the north the tree lined road runs into a residential area screened by the trees surrounding the garage., To the east and south are residential properties behind the tree lines. To the west opposite the proposed site is a large open green space behind the trees, beyond which are residential streets. The site is set on highways land and is well screened from views in most directions by the surrounding trees.. The location of the proposal could not be more suitable given the screening that surrounds the site and the industrial establishment behind it there is only limited scope for negative residential amenity.
- 3.5 The associated ancillary equipment cabinets are within the size limits to be classified as permitted development without prior approval and should not be considered as a reason for refusal. Notwithstanding this it is important to note that the equipment has been positioned on the pavement to utilise the natural screening from the trees opposite and surrounding the site that fronts Lightbowne Road, so as to reduce the visual impact and to avoid impeding pedestrian flow. If the Inspector is minded to approve the installation, the colouring of the equipment can also be specified as deemed appropriate to enhance any merging effects with the existing street scene
- 3.6 It is considered that facilitating the delivery of what is seen by Government as a key part of the economic growth strategy for the UK would in this instance amount to special circumstances. Any refusal on the grounds that the development would not

constitute special circumstance would delay and inhibit the delivery of this key driver of the wider UK economy. The investment in mobile infrastructure will continue and it will evolve. Just as the use of 4G mobile technology becomes widespread, the adoption and use of 5G mobile technology needs to be planned and implemented. Getting this right is important for three reasons:

1. Mobile connectivity is essential to the future success of the economy. The combined value of 4G and 5G mobile connectivity is estimated to add £18.5bn to the economy by 2026
2. Mobile connectivity is essential to creating a better society. Digital inclusion can help people gain employment, become more financially secure and improve health and well-being.
3. Mobile connectivity is essential to fulfilling the potential of new technologies.

Innovations such as Artificial Intelligence and connected cars will change how we work, spend our leisure time and run our public services. The mobile industry has been able to enhance mobile connectivity across most of the country, but there is more to be done.

- 3.7 A slimline street pole design has been specified due to the target coverage area including a high density of residential users with a view to minimize visual intrusion or conflict with the character of the area. It is important to note that a shared 5G structure would require multiple levels of open antenna headframes on a considerably more bulky and intrusive support structure and therefore the least intrusive equipment configuration has been specified. The proposal is essential for the Operator to bring optimum telecommunications / mobile broadband services to the area.
- 3.8 As stated previously, robust pre-consultation was conducted by the applicants' agent. This process included pre-application with the LPA and further consultation with the local Ward Councillors. The pre-application process invites Manchester City Council and other key stakeholders to meet to discuss the application prior to submission. In this instance no comments were received from Manchester City Council following the original pre-application submission. Pre-application was undertaken for the site with no responses by the LPA or Ward Councillors prior to the submission of the application.
- 3.9 In relation to perceived potential health risks associated with the installation of the proposal, documentation has been provided to confirm compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and as such these concerns cannot be considered in the determination of this application.
- 3.10 The proposal has been designed to remain as discreet as physically possible. The installation must be high enough to ensure suitable coverage within the cell and provide connection between these cells. In this instance the height is required to clear surrounding clutter. If the pole were to be lower than that proposed, there would be significantly limited coverage as the cell could not effectively communicate with other cells and the wider network, meaning a compromised level of service. To clarify, the Local Planning Authority is required to undertake a balancing exercise. The balance is the visual impact (and perceived harm to amenity) weighed against the need, technical requirements of the installation and availability of a suitable and available site. This balance is a well-known and most important matter for the determination of telecommunications applications and appeals. Had the Case Officer weighed perceived levels of harm to amenity against public benefit, as required by NPPF, they would ordinarily have concluded the balance was overwhelmingly in favour of support for such development.
- 3.11 The current scheme detailed in this appeal has sought to mitigate any perceived detrimental effects with its position that would benefit from being in an area where the

presence of telecommunications infrastructure has already been established. In the reasons for refusal the Council is concerned that the installation would, in essence, have a detrimental impact on the character and visual amenity of the area.

- 3.12 In accordance with the sequential approach outlined in the National Planning Policy Framework (NPPF) the following search criteria have been utilised. Firstly, consideration is always given to the possibility of erecting antennas on an existing building, mast or other structure. The proposal is from a site selection perspective the sequentially optimum solution.
- 3.13 This sequential approach is outlined below:
1. Upgrading an operator's own existing base station(s);
 2. Using existing telecommunications structures belonging to another code system operator, i.e. mast sharing.
 3. Co-location or site sharing alongside existing telecommunications development.
 4. Installing a base station on an existing building or tall structure.

If 1-4 unavailable, the only viable option is

5. Erection of a new ground-based mast in street environment
- 3.14 In compliance with its licence and the sequential approach outlined in the NPPF all attempts to utilise any existing telecommunication structures where they represent the optimum environmental solution have been employed. As identified in the submitted documents that accompanied the planning application, no opportunities for site sharing are available, resulting in Option 5 of the sequential approach being the only viable route that would ensure delivery of the requisite digital service. As such, the sequential site selection process has been adhered to.
- 3.15 The cell search area is illustrated below and is extremely constrained with the only viable option having been put forward. Figure 5 below illustrates the parameters of the search area showing the coverage requirement between a cluster of existing cells. The existing cells are illustrated in Figure 5 by the conical shapes. If the equipment is shaded red, then the cell is congested and there is an urgent requirement to install additional telecommunications equipment in order to "offload" the congested sector (as illustrated within Figure 4 (congested cell example)). Often the proposal has been pulled marginally outside of the cell search area due to residential amenity, pavement width, underground services and planning issues. There are also build constraints to take into account as the site must be selected in a position where the mast can be physically constructed. However, existing underground services continue to be a significant obstacle to the deployment of this roll out. As with all 5G cells the search area is highly constrained covering a small radius with extremely limited availability of options and the only viable solution from a planning and radio coverage perspective has been put forward.

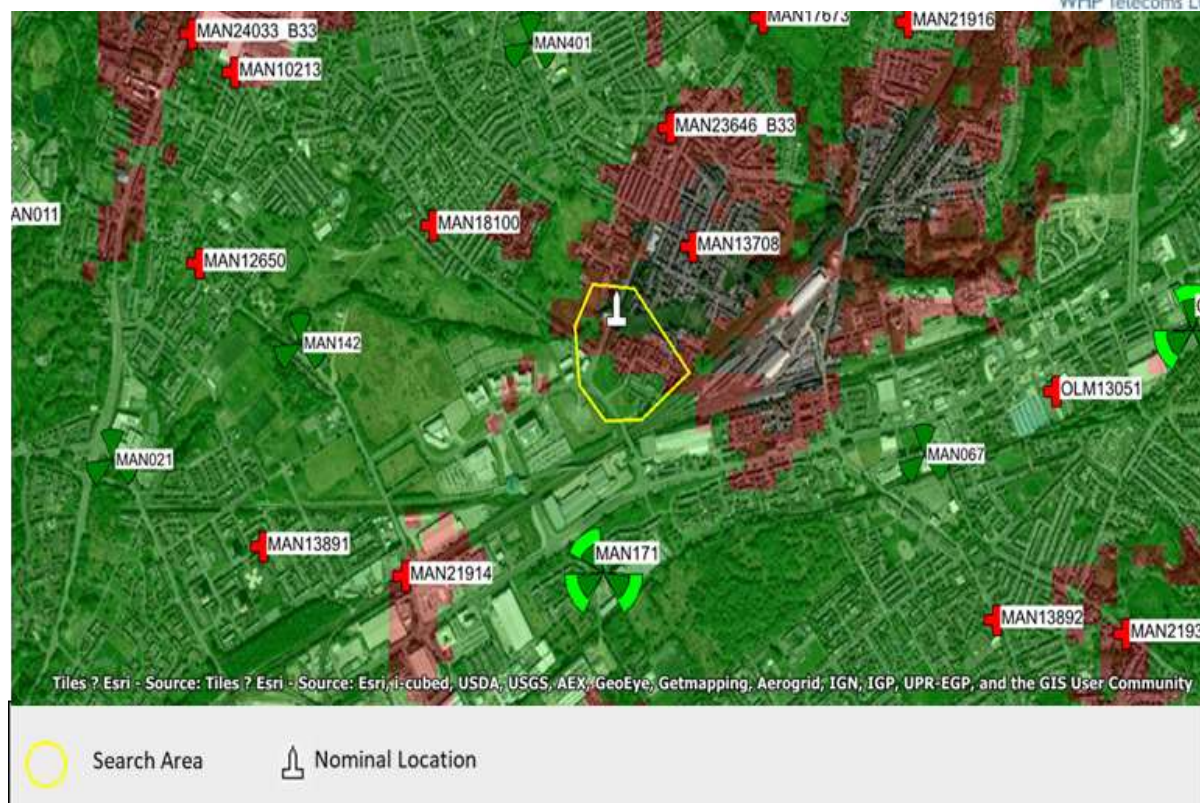
Figure 4: Congested Cell Example



Figure 4 illustrates an existing other cell in the UK (PLY041). Figure 4 is for illustrative purpose only and is not site specific, it does not relate to the appeal site. Figure 4 has been included with the appeal statement as a key to explain Figure 5 further to the Planning Inspectorate. Where one of the existing sectors is shaded red, this shows that the sector does not have the required capacity to meet the demand in the area. Where this is illustrated there is a requirement for an additional telecommunications infrastructure equipment in order to “offload” the congested cell. At the site survey stage, the Surveyor must avoid these existing telecoms sites (rooftop antenna and masts) to avoid interference.

Figure 5: Area Coverage Map

Figure 5: Cell Search Area Map with the Nominal illustrated by the White ‘T’ marker below: We can see existing 3UK Sites surrounding the nominal, most notably, MAN171 to the south, MAN401 to the north and MAN021 to the south-west. The area surrounding the nominal is lacking in coverage illustrated by unshaded areas and the areas shaded green have adequate coverage.



- 3.17 This is a standalone facility as opportunities for sharing have been investigated and exhausted. Ordinarily a new additional mast to facilitate the digital coverage upgrade would not be in line with NPPF, but due to technological constraints this is the only option available

4.0 **Consideration / Justification:**

Policy / Guidance Consideration:

4.1.0 Local Plan Policy:

4.1.1 The decision notice as issued by Manchester City Council states:

- 1) The City Council is not satisfied that this development has been sited to allow satisfactory pedestrian access along the host footway. The proposed telecommunication mast and associated cabinets would reduce the width of the footway to 1.9 metres which is considered unacceptable, with the potential to impede access for pedestrians, including the users of wheelchairs and pushchairs.***

The proposed site is on an open stretch of road with a 30mph speed limit the pavements both side are wide, the reduction in width pavement outside of the garage would be a minimal inconvenience.

The average width of pushchairs is 60 cm and mobility scooters 70cm, (a pushchair and a mobility scooter could still pas each other with 60cm clearance) all mobility scooters and powered wheelchairs can legally travel at a maximum of 4mph on footpaths or in pedestrian areas. The potential for any pavement user being impeded is very low.

The public benefits of a greatly enhanced communications network for businesses, residents and visitors alike in this location would qualify as a substantial benefit with the change or impact on amenity or on the character of the area being considerably outweighed by the enhanced public benefits the scheme would deliver.

The proposed telecommunications equipment would therefore be contrary to policies DM1 and SP1 of the Manchester Core Strategy (2012), saved policy DC17.1 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (NPPF).

Policy DM 1

Development Management

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.

The development seeks to minimise the mass and scale of the installation as much as possible, yet still deliver the service and operational needs of future site sharing by using a 15m phase 8 monopole. In addition, the cell area is one constrained by residential uses. This means that the one installation will be able to provide a vastly improved level of service (access and speed) thus creating a very evident and demonstrable public benefit from the proposed enhancement of this cell's coverage.

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 applicant has regard for the scale, design, character and materials of the proposed development. By proposing a 15m Phase 8 monopole the applicant seeks to minimise the effect on the location, by utilising the tree and bushes to maximise the screening available, to make the mast as unobtrusive as possible. The equipment may be coloured deemed appropriate to the location (to further minimise its appearance and any perceived obstruction on amenity).

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

The Installation seeks to protect the visual, residential and general amenity of the area through high quality design. It endeavours to minimise the impact on useable space; it has no effect on light, noise, vibration, air quality, odours, litter, vermin, birds, noise, road safety and traffic generation.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Not applicable to this application

Community safety and crime prevention.

It will help to promote safety and, crime prevention by enabling users to have full access to the telecommunications network, and use apps on their smart phones. The ability to contact the emergency and security services through improved network coverage.

Design for health.

The installation seeks to encourage and explore opportunities to create new public realm by improving network coverage and access, allowing residents access to fitness apps on their smart phones and tablets (improving health), to be able to work from home, (helping to reduce traffic levels), to be able to communicate more quickly with the improved network access and speed..

Adequacy of internal accommodation and external amenity space.

Not applicable to this application

Refuse storage and collection.

Not applicable to this application

Vehicular access and car parking.

Not applicable to this application

Effects relating to biodiversity, landscape, archaeological or built heritage.

Not applicable to this application

Green Infrastructure including open space, both public and private.

Not applicable to this application

The use of alternatives to peat-based products in landscaping/gardens within development schemes.

Not applicable to this application

Flood risk and drainage.

Not applicable to this application

Existing or proposed hazardous installations

Not applicable to this application

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

Not applicable to this application

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

***Year 2010 – Code Level 3;
Year 2013 - Code Level 4;
Year 2016 - Code Level 6; and***

Not applicable to this application

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

Not applicable to this application

Policy SP 1

Spatial Principles

The key spatial principles which will guide the strategic development of Manchester to 2027 are:

i) The Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living.

Not applicable to this application

ii) The growth of Manchester Airport will act as a catalyst for the regional economy, and will also provide the impetus for a second hub of economic activity in this part of the City.

The proposed 15m phase monopole is designed to be as unobtrusive as possible whilst delivering the benefits of 5G connectivity. Mobile connectivity is essential to creating a better society. Digital inclusion can help people gain employment, become more financially secure and improve health and well-being.

Mobile connectivity is essential to the future success of the economy. The combined value of 4G and 5G mobile connectivity is estimated to add £18.5bn to the UK economy by 2026

iii) Beyond these areas, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester , East Manchester and Central Manchester Regeneration Areas.

Not applicable to this application

iv) The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

Not applicable to this application

v) The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved.

Not applicable to this application

vi) New development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport. The extension to the Metrolink network through the Oldham and Ashton lines will create key corridors for new development.

Approval of this application will allow for the construction of infrastructure which will enhance network speeds and connectivity within the surrounding area. As a result, features such as CCTV, communication services and emergency services will be more readily accessible, thus creating communities which are safe for all users. Real time updates on bus and train arrivals will help to maximise the potential for the City's transport infrastructure.

vii) Core Development Principles Development in all parts of the City should:-

a) Make a positive contribution to neighbourhoods of choice including:-

The amenity of residents would be protected, plus the proposed installation would improve the Telecommunications network in the Moston area. There are no other suitable sites: by approving this site it will mean that one installation will be able to

provide a vastly improved level of service (access and speed) thus creating a very evident and demonstrable public benefit from the proposed enhancement of this cell's coverage.

b) creating well designed places that enhance or create character.

Not applicable to this application

c) 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.

The proposed installation will improve the connectivity of the Telecommunications Network in the Moston area, helping to contribute to improving the health, safety and wellbeing of Moston's residents. The development is accessible to all phone users

e) protect and enhance the built and natural environment.

The proposed installation is benign

f) Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Not applicable to this application

g) 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

Mobile connectivity is essential to creating a better society. Digital inclusion can help people gain employment, become more financially secure and improve health and well-being.

The proposed installation may help in minimising the distances people need to travel with more people be able to work from home, full or part time, helping to reduce the need for commuting, reducing the pressure on existing transport providers and help making the current road system more sustainable.

DC17.1 Telecommunications

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.

Applicant's response

In compliance with its licence and the sequential approach outlined in the NPPF all attempts to utilise any existing telecommunication structures where they represent the optimum environmental solution have been employed. As identified in the submitted documents that accompanied the planning application, no opportunities for site sharing are available, resulting in Option 5 of the sequential approach being the only viable

route that would ensure delivery of the requisite digital service. As such, the sequential site selection process has been adhered to.

The operator always seeks to place installations in the least obtrusive locations, minimising the impact by using a 15m Phase 8 monopole. The proposed site is backed by a commercial establishment, there are no existing masts, buildings, and other structures suitable. There are no other suitable sites; by approving this site it will mean that the one installation will be able to provide a vastly improved level of service (access and speed) thus creating a very evident and demonstrable public benefit from the proposed enhancement of this cell's coverage.

- 4.1.2 In accordance with the requirements of the Development Plan and policy requirements the site has been carefully selected in a position as far away as technically possible from the views of residential properties in a position benefitting from the masking effects associated with the garage as a backdrop and surrounding mature trees. Views to the site from beyond the Lightbowne Road area are limited with a resultant visual impact being near benign. The site has also been selected nearby to numerous elements of street furniture with similar vertical lines that will allow the proposal to visually assimilate with its surroundings.
- 4.1.3 The site has been carefully selected to provide the required essential new 5G coverage whilst protecting the amenity of the residents further afield. Resultingly, any perceived harm will be considerably outweighed by the tangible public benefits the scheme will deliver. The proposed installation is required to deliver new 5G coverage within the Moston area and, given the build and technical coverage constraints, the least visually intrusive design solution available has been put forward.
- 4.1.4 The position of the site infrastructure (with a suitable and sympathetic design) and ancillary infrastructure, as detailed in the submitted Planning Application, is to facilitate the provision of enhanced digital connectivity and rollout of the 'Next Generation' of telecommunication services and mobile broadband. The applicant appreciates that the proposal is taller than the nearby street furniture with similar vertical lines however, there is no scope to lower the new 5G installation and the specified height will not be to the determinant of the immediate or wider locale. The applicant appreciates that the monopole would qualify as change, but not to the detriment of the aesthetics or character of the area.
- 4.1.5 The 5G installation is required to ensure mast sharing can be facilitated (as prescribed by policy and guidance) and remove the need for any future additional telecommunications masts in this location at a future date.
- 4.1.6 The opinion of Manchester City Council that the development would be contrary to the objectives of the GPDO as detailed above is challenged.
- 4.1.7 Contrary to the opinion of Manchester City Council, it is considered that the proposed development would accord with all elements of the GPDO (as well as policy DM18 (***policies DM1 and SP1 of the Manchester Core Strategy (2012), saved policy DC17.1 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (NPPF).***)), notably in the fact that the design and siting of the installation is one that would not be alien in the existing context. The proposal would appear as a telecommunications installation, in a location where seeing such development would not appear unusual. It is of an appropriate design to ensure service delivery, yet is static and a vertical structure that does not visually jar or harm amenity. All efforts to keep the monopole out of and away from potentially sensitive receptors have been adhered to. There would be no tangible loss to existing levels of amenity as these would in the main be maintained through near screening by the garage and nearby trees (albeit with greatly enhanced digital connectivity). If the Inspector is minded to approve the installation, the colour of the

monopole can be coloured to one deemed appropriate to the location (to further minimise its' appearance and any perceived obtrusion on amenity).

- 4.1.8 For the proposal to be 'detrimental' to amenities of the area and for the scheme to constitute 'harm' (overbearing) regarding the character of the area, it would need to be 'unpleasant' or 'harmful' to the wider environment. In this instance it is noted that the site is well located with a backdrop of the garage and the surrounding trees on both sides of the road.

For clarity, the development seeks to minimise the mass and scale of the installation whilst delivering the service and operational requirements associated with providing new essential 5G coverage and future proofing the installation for deployment of other technologies. In addition, the cell area is one of high-density residential concentration. This means that the one installation will be able to provide a vastly improved level of service (access and speed) (all those properties and businesses in the red shaded area in Figure 5 above), which by default emphasises a very evident and demonstrable public benefit. It is accepted that any development constitutes a change, but in this instance the change proposed would not be unpleasant or harmful, and is suitably distant, and visually separated from sensitive receptors. It would be similar to numerous similar structures in this location (streetlights) of which designs, and installations are accepted and regularly seen in comparable locations across the UK.

- 4.1.9 Furthermore, it is worth noting that the site is not in an area with a statutory designation for particular protection for its character (e.g., Conservation Area or World Heritage Site, SSSI or National Park). As stated throughout this appeal statement all efforts have been made to pull the installation as far away from residential properties, businesses and sensitive constrained areas as possible whilst still allowing them all the expected levels of digital coverage for day-to-day life and business. The fact that the scheme seeks to provide a suitable design is not considered to be so damaging or sufficiently obtrusive as to justify the stance taken by Manchester City Council in this instance.
- 4.1.10 The development seeks to minimise the mass and scale of the installation as much as possible, yet still deliver the service and operational needs of future site sharing (as evidenced in the proposed height of 15m). In addition, the cell area is one constrained by residential uses. This means that the one installation will be able to provide a vastly improved level of service (access and speed) to a multitude of users, thus creating a very evident and demonstrable public benefit from the proposed enhancement of this cell's coverage.
- 4.1.11 The applicant is confident that with the design proposed the character of the area is maintained. As stated above there is no scope to move the proposed site to an alternative location (see discounted options and reasons), given the extremely limited constraints within which the proposal strives to achieve improved digital delivery. Any move from this location could place the mast closer to other more sensitive receptors or require a monopole of increased height.
- 4.1.12 In light of the above reasoning, it is suggested that the development does accord with the requirements of Policy and other policies of the Development Plan as it would not result in harm (perceived or otherwise) to the character of the area or amenity of users. It is imperative to emphasise the benefits of this singular structure as it would provide an enhanced level of electronic communication service for transient users, businesses and residents alike. The supporting statement gives further details on the benefits of the proposal.
- 4.1.13 Provision of this infrastructure, in an area identified as one lacking in connectivity, would accord with the objectives above. As identified this area suffers from poor access to digital services to the detriment of local residents and businesses. It is vital to consider that a new 5G option is required in this location.

4.1.14 As stated above from a planning perspective the sequential approach should be followed for all telecoms sites regardless of their location and this has been rigidly adhered to with this proposal. Operators are committed to provide coverage and improve capacity. Operators' need for a new base station derives from a sequential approach to a site selection process.

1. Upgrading an operator's own existing base station(s);
 2. Using existing telecommunications structures belonging to another code system operator, i.e. mast sharing.
 3. Co-location or site sharing alongside existing telecommunications development
 4. Installing a base station on an existing building or tall structure.
- If 1-4 unavailable, the only viable option is
5. Erection of a new ground based mast in street environment.

4.1.15 In this instance the possibility of fulfilling the requirement by upgrading an existing site is not available hence the provision of the proposed standalone installation. However it still accords with the sequential approach (as demonstrated within the supporting statement the cell search area is extremely contained and the only viable option has been put forward). Furthermore, the LPA had an opportunity to offer alternatives at the point of pre-application consultation but chose not to take up this chance to guide development in a way they saw as appropriate.

4.1.16 The type of installation that the applicant has proposed is the optimum design solution for deploying 5G technologies and the height at 15m is the very lowest that works effectively for the Operator. Given the siting preference, the proposed location is deemed acceptable and appropriate. If the height of the monopole were to be reduced below 15m then the installation would not be able to provide adequate coverage for the Operator (it would need to be positioned in a more exposed location as it could not utilise the level of screening afforded by the trees). The cabinets are required to serve the Operator, and these have been kept to a minimum. The cabinets should not form part of the planning application process or this appeal as they are Permitted Development (without Prior Approval) however; all efforts are taken to keep these to an absolute minimum. Both the original planning submission and this appeal statement robustly assess how the proposal fits within the surrounding area including its planning designations and assesses the local and national policies. The National Policy section is assessed again below.

4.2.0 National Policy / Guidance – National Planning Policy Framework (NPPF)

4.2.1 National policy with regard to Telecommunications development is found within the NPPF. Contained within the NPPF, the following is of importance during deliberations:

4.2.2 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).

The improved service the proposed monopole would deliver would result in a direct contribution to the delivery of economic growth, in a sustainable way, as well as enhancing local facilities and services (via better connectivity and communication).

4.2.3 Paragraph 115 states that:

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.

The proposed development would utilise a site to provide for future technologies, so negating the need for subsequent new installations in the area and ensuring accordance with the objectives of the NPPF. The proposal would very much accord with this objective and negate the need for a demonstration 'to the satisfaction of the Council' in relation to the search for other sites.

The attempt to provide discreet development at the site, using the recommended sequential approach (as evidenced in the original submission) which accords with the objectives of paragraph 113 of the NPPF, demonstrates the operator's attempts to address the lack of requisite cell coverage in the area, which would if allowed improve network coverage considerably with minimal negative effect on the visual amenity of this residential location.

- 4.2.4 In addition to the consideration given to the reasons for refusal, it is also noted that material consideration should be given to developments that contribute to the delivery of sustainability (which these cabinets and monopole would do). Such an objective needs to inform decisions, and is a requirement detailed in the 'Letter to Chief Planning Officers: Planning for Growth' dated 31st March 2011.

5.0 **Discounted Options**

(Designated Search Area) covers this densely packed residential area. There is no scope to pull the mast outside of this area and give the cell 5G coverage.

D1 – discounted as rooftop would not be suitable in supporting telecoms equipment. The elevation is too low to achieve the required radio coverage.

D2 – greenfield site has been discounted as the area does not benefit from any screening and therefore can become visually intrusive to nearby residents.

D3 – option discounted as highway signs will become obstructed for oncoming traffic.

D4 – discounted over concerns that retained pavement width following installation will not be sufficient, posing risk to pedestrian free flow and highway safety.

D5 – wide stretch of pavement has been discounted as street signs indicate that there is dual use for pedestrians and cycle lane, telecoms infrastructure would impede on this and harm the free flow of the pavement.

Figure 6: Discounted Options



6.0 Conclusion and Planning Balance

6.1.0 Reasoning and Summary

- 6.1.1. It is considered that the installation of the cabinets and monopole would not be contrary to but would contribute to the achievement of the Policy objectives of Manchester City Council Development Plan and the NPPF. The proposal would not be to the detriment of visual amenity or result in harm to the character of the area. The proposal would further the delivery of sustainable development through intelligently managed and considered change. As stated throughout this statement it is vital to consider that the proposal relates to an upgrade of digital connectivity to address a 5G coverage hole in the area. It must also be considered that all efforts have been applied to the site selection process to deploy a proposal where the visual amenity or landscape character of the area will not be adversely affected. The proposed location benefits from the screening effects associated with the garage backdrop, and the

surrounding trees nearby and opposite, with no tangible or long-lasting detrimental impact on amenity or character.

- 6.1.2 We consider the development complies with Government guidance where the underlying aim is to provide an efficient and competitive telecommunication system for the benefit of business and the community while minimising visual impact.
- 6.1.3 On balance, we consider that any perceived impact on amenity or character the site may have will be outweighed by the considerable positive benefits brought to the economy and community by telecommunications (as evidenced in the Government-published Future Telecoms Infrastructure Review). There would be no impact on the character of the area. As detailed above, the development meets the requisite criteria and standards and accords with the 'Planning for Growth' objectives.
- 6.1.4 As such, it is respectfully requested that the appeal be allowed. If the Inspector deems that conditions on approval are required these will be welcomed (e.g. amending the colour scheme).