

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133742/TEL/2022

Date registered valid: 11 May 2022

Proposal: Prior approval for the installation of a 20m high telecommunications mast together with associated equipment

Address: Land On The Western Side Of Princess Road (South-West Of Its Junction With Bowes Street), Manchester, M14 4RB

Ward(s): Whalley Range Ward

Applicant: CK Hutchison Networks (UK) Ltd, 450 Longwater Avenue, Green Park, Reading, RG2 6GF

Agent (if any): Mr Chris Andrews, Sinclair Dalby Limited, 3 Princes Street, Bath, BA1 1HL

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 June 2022

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 9 June 2022

Standard consultations:

Printed: 17 May 2022 Expired: 7 June 2022

Neighbour notifications

Printed: 17 May 2022 Expired: 7 June 2022

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

The application site relates to a footpath adjacent to a bus stop, opposite the former Stagecoach Bus depot to the east side of the Princess Parkway in Moss Side, just south of the junction with Bowes Street. The site is viewed when approaching Manchester City Centre from the south.



Photograph 1 and 2 Application site as viewed from Princess Parkway looking north towards the City Centre.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

The applicant is seeking prior approval for the installation of a 20m high telecommunications mast together with associated equipment.

The installation is for the purpose of Hutchison 3G the network operator to install its equipment to upgrade its network and to provide 5G coverage to the local area.

Consultations & Notification Responses

Local Residents/Public Opinion – One representation was received objecting to the proposal concerned about the position of the mast and worried that it would become an eyesore. Requested additional drawings such as an artistic impression of the proposal.

Highway Services – No Objection

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.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 17.1 - Telecommunications

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) – Sections 10 and 12

The Principle - The Town and Country Planning (General Permitted Development) (England) Order 2015 confers 'permitted development rights' for certain types of telecommunications development. This now includes the erection of telecommunications masts which do not exceed a height of 20m above ground level. These permitted development rights remove the need to submit a full planning application, but rather require what is termed a 'prior notification' application to be made.

This means that the Local Planning Authority can only control the details of the siting, design and external appearance of a telecommunication development, as the acceptability of the principle of the development is already established. The Local Planning Authority has 56 days in which to let the applicant know of its decision on whether prior approval is required for siting and appearance and to let the operator know of its decision to allow or refuse approval.

Given background Government planning guidance, a principal 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 at Section 10 of the NPPF states that "Advanced, high quality communications infrastructure is essential for sustainable economic growth and social well-being".

Saved policy DC17.1 of the UDP similarly looks to support telecommunication development, subject to minimising any impact upon siting and appearance.

A letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Support, dated 24 May 2021, the Government is clear that digital connectivity is considered now, more than ever – vital to enable people to stay connected and businesses to grow. The demand for mobile data is increasing rapidly, and the COVID-19 pandemic has highlighted how important it is that we all have access to reliable, high quality mobile connectivity.

It is stated further that The National Planning Policy Framework ("the Framework") for England states that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology, such as 5G.

The Framework is clear that decisions on applications should be made as quickly as possible, and within statutory timescales. Local planning authorities must determine applications on planning grounds only and they should not seek to prevent competition between different operators or question the need for an electronic communications system.

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

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

Siting and Appearance

The applicant is seeking to install a 20m high telecommunications mast together with associated equipment including cabinets.

This will introduce a tall structure which will always to be to some degree noticeable, particularly to passers-by (both on foot and in a vehicle) and nearby residential occupiers. However, this does not necessarily mean any harm will result or that there will be an overwhelming, undue impact.

In this instance, it is considered that the applicant has minimised the impact by practicable and appropriate siting and design, balancing the siting and appearance of the installation against technical requirements and material planning policy and guidance which advocates a presumption in favour of such equipment.

The mast will be sited next to an existing street lamp and the mature trees on the embankment to the rear of the site and would be approximately 37 metres away from the nearest residential properties to the east and west of the proposed location.

The mast will be taller than the surrounding street furniture and trees, however the proposal position next to the main highway and with the other street furniture the mast and cabinets will assimilate into the street scene.

Highway Services have not raised any concerns with the proposal.

Given the context of the existing installation and the nature of the surrounding environment, the siting and appearance of the proposal is considered satisfactory.

The proposal is therefore considered to be in accordance with saved policy DC17.1, DM1 and SP1 of the Core Strategy, NPPF and with the requirements of Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

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.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

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

1) The City Council is satisfied with the siting and appearance of the proposed telecommunication installation, in accordance with policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC17.1 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework (NPPF). The consent hereby provided shall ensure the installation be carried out only in accordance with drawings titled: 002A (Site location plan), 100A (Existing site plan), 150A (Existing site elevation), 215A (Proposed site plan) and 265A (Proposed site elevation) together with accompanying documents, received by the City Council as Local Planning Authority on 11 May 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).

Informatives

1) 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

Appendix 1 – List of consultees & neighbours notified

Highway Services

172 Russell Street, Whalley Range, Manchester, M16 7JL
178 Russell Street, Whalley Range, Manchester, M16 7JL
164 Russell Street, Whalley Range, Manchester, M16 7JL
168 Russell Street, Whalley Range, Manchester, M16 7JL
166 Russell Street, Whalley Range, Manchester, M16 7JL
170 Russell Street, Whalley Range, Manchester, M16 7JL
158 Russell Street, Whalley Range, Manchester, M16 7JL
174 Russell Street, Whalley Range, Manchester, M16 7JL
162 Russell Street, Whalley Range, Manchester, M16 7JL
176 Russell Street, Whalley Range, Manchester, M16 7JL
156 Russell Street, Whalley Range, Manchester, M16 7JL
160 Russell Street, Whalley Range, Manchester, M16 7JL

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH