

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134253/TEL/2022

Date registered valid: 4 July 2022

Proposal: Prior Approval for the installation of 20 metre high telecommunication monopole with associated antennas, dishes and ancillary works.

Address: George Jones & Son, 232 Briscoe Lane, Manchester, M40 2XG

Ward(s): Miles Platting & Newton Heath Ward

Applicant: MBNL Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Agent (if any): Damian Hosker WHP Telecoms Limited 1A Station Court, Station Road, Leeds, LS20 8EY

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 August 2022

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 4 August 2022

Standard consultations:

Printed: 11 July 2022 Expired: 1 August 2022

Neighbour notifications

Printed: 11 July 2022 Expired: 1 August 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 the rear yard of a part single, part two storey industrial warehouse unit situated opposite the junction of Briscoe Lane and Riverpark Road.

The unit is occupied by George Jones and Son which supplies the restaurant industry with food equipment.



View of the front of the site from Briscoe Lane

The rear yard comprises a mixture of hard standing and grass area used for ad hoc parking and servicing. The proposed position for the mast is presently occupied by a waste skip.

The site is bounded by industrial warehouse premises to three sides and by Briscoe Lane to the south. The existing warehouse building provides a barrier between the proposed installation and the road frontage. The rear site boundary incorporates what appears to be self-seeded tree planting.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of Philips Park to opposite side of Briscoe Lane, the immediate area is predominantly industrial in nature, comprising warehouses, light and general industrial premises. The site lies adjacent to Arkady Industrial Estate which is situated immediately to the east and Riverpark Trading Estate to the opposite side of Briscoe Lane to the south. Further to the north of the site is a railway line and an associated depot.

Description of development

Prior Approval is sought for the installation of 20 metre high telecommunication monopole with associated antennas, dishes and ancillary works.

The proposed works involve a slimline monopole on a concrete base measuring 5.2 x 5.2 x 1.4 metres, with 6 no. antenna apertures, 4 no. dishes and ancillary equipment to be fixed to support poles below antennas and associated ancillary works including 6 equipment cabinets and 2.4 metre high weld mesh fencing to the boundary.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – A noise condition is recommended.

There is the potential for noise to cause a loss of amenity to warehouse workers.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy DC17.1 of the UDP;
- Policies DM1 and SP1 of the Core Strategy;
- Sections 10 and 12 of the National Planning Policy Framework (NPPF).

Planning History

046846/AO/NORTH2/94

Illuminated box name sign above entrance canopy. *Approved 4 January 1995.*

Issues

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 30m above ground level on unprotected land. These permitted development rights remove the

need to submit a full planning application, but rather require a 'prior approval' 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 114 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.

Within a relatively recent letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Sport, 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 and residents 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

In keeping with the National Planning Policy Framework which advocates the use of high-quality communications infrastructure, the proposed design has been selected to minimise visual impact upon the street scene by integrating with the existing industrial backdrop.

The introduction of a tall structure will always to some degree be noticeable, particularly to passers-by and nearby occupiers. 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 proposal has undergone a sequential site selection, with the current proposal representing the best fit when balancing siting against coverage requirements. The proposed installation will facilitate advanced coverage in the area to aid the social well-being and business needs of the occupants of the nearby properties and local businesses.

In terms of appearance, the design reflects the utilitarian emphasis provided by existing industrial premises and lighting columns and matures trees which appear to the back and fore ground along Briscoe Lane.

Given the prevailing industrial backdrop, coupled with context of the immediate area which is dominated by warehouses, it is believed that the proposed installation can be satisfactorily assimilated without any significant undue impact to visual amenity.

The mast has also been sited away from the road frontage to the rear of a warehouse building, which partially screens the mast from short distance views. Whilst the mast is likely to be visible further afield, it is believed that given the industrial context of the immediate surroundings, and visual impact can be sustained.

As such, it is not considered that the proposed mast and associated equipment would form overly intrusive features, nor would there be any significantly harmful impact upon the character and appearance of the area.

The mast is also fairly slim-line in appearance and is to have a galvanised steel finish to reflect other nearby street furniture, typical of an urban streetscape.

The proposed equipment cabinets are less than 2.5m³ each and will be located immediately alongside the mast. It should be noted that if seen alone as standalone developments, they would constitute permitted development. The cabinets have also been designed to appear like other statutory undertakers' equipment cabinets. They are small for telecommunications apparatus and are again similar in appearance to other equipment cabinets commonly found in urban environments.

In light of the above, it is felt that taking into account the technical constraints of the operator, available sites and immediate environmental context of the area, the siting and appearance of the proposal can be satisfactorily accommodated without significant, undue impact to visual amenity.

Access

The proposed equipment has also been sited towards the rear of the existing building on private land. Pedestrian access along the public footway will not therefore be impeded.

Impact on Health and Safety

The role of the planning system however is not to duplicate existing controls under other legislation and is not the place to determine health safeguards. It is the Government's view that if a proposed development conforms to International Compliance for Public Exposure Guidelines for Public Exposure to Electromagnetic Fields established by the International Commission on Non Ionising Radiation Protection (ICNIRP), further consideration of this issue should not be necessary by the Local Planning Authority.

It should also be noted that within the recent letter issued to Local Planning Authorities from the Department for Digital, Culture, Media and Sport, dated 24 May 2021, it is stated that the Government's independent advisers on matters of public health, are clear that there is no credible evidence of a negative impact of mobile technology, including 5G on people's health. Central to PHE's advice are the guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), which is formally recognised by the World Health Organisation.

Noise

Whilst Environmental Health raise concerns in relation to the noise, it is not believed that this is a relevant consideration. There are no residential properties situated nearby and given the industrial nature of the immediate surroundings, as well as the noise levels created by a functioning railway line a short distance to the north, noise is unlikely to be a harmful factor.

Trees

Self-seeded trees line the rear boundary. Whilst some pruning may be necessary, no trees are proposed to be lost as part of the proposal and are unlikely to be significantly affected.

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

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 referenced 002, 200 and 250 and accompanying documents received by the City Council as Local Planning Authority on 4 July 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policy DC17.1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Admin Buildings First Floor Room 110, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 136, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 134, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 133, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 141, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 139, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 123, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Rooms 149 And 150, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Room 131, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Room 143, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

RIVERBANK CLOTHING LIMITED, Annexe Hall Ground Floor Unit 17-18, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XP

BASESTAR 2000 LTD, Admin Buildings, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XP

224 Briscoe Lane, Manchester, M40 2XG

George Jones And Son, Briscoe Lane, Manchester, M40 2XG

Five Dimes Limited, Briscoe Lane, Manchester, M40 2XG

Annexe Hall Unit 22 To 23, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XP

Annexe Hall Room 125, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Room 126, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Unit 1, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Unit 4-5, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Unit 6-7, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Units 8 And 9, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Unit 10, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Unit 15-16, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Unit 19-20, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Ground Floor Unit 21, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Units 2 To 3, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rooms 144-146, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 101, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 102, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Room 142, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 113, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 103, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 118, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 107, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Unit 28, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 108, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 112, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XP

Annexe Hall Ground Floor Units 26 To 27, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 135, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm132, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Room 130, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 129, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 121, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 128, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 111, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 148, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 140, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Room 127, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Rm 124, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall First Floor Room 137, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Annexe Hall Room 147, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings Ground Floor, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 122, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Rooms 104 To 105, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Admin Buildings First Floor Room 106, Riverpark Trading Estate, Riverpark Road, Manchester, M40 2XR

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

HSE COMAH Zone - H1485 OZ - Bradford Road Holder Station (East) Outer Zone

Area Team Boundary - Name: CENTRAL