

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133827/TEL/2022

Date registered valid: 20 May 2022

Proposal: Prior Approval application for the installation of a 17.5m high telecommunications monopole comprising 3 no antennas and 2 no dishes with 2 no cabinets and ancillary development

Address: Land At Great Southern Street , Great Southern Street, Manchester, M14 4BX

Ward(s): Moss Side Ward

Applicant: Cornerstone, C/o Agent

Agent (if any): Helen Spoors, Williams Acquisition Ltd, Dunkirk Avenue, Desborough, Northants, NN14 6DE

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 1 July 2022

Application details

Type of application: Telecommunication Application

Development type: Notifications

Date of site visit: 17 June 2022

Standard consultations:

Printed: 30 May 2022 Expired: 20 June 2022

Neighbour notifications

Printed: 30 May 2022 Expired: 20 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 relates to an approximately 2.5 metre wide footpath adjacent to an area of public open space.





Listed building: Not applicable

Conservation area: Not applicable

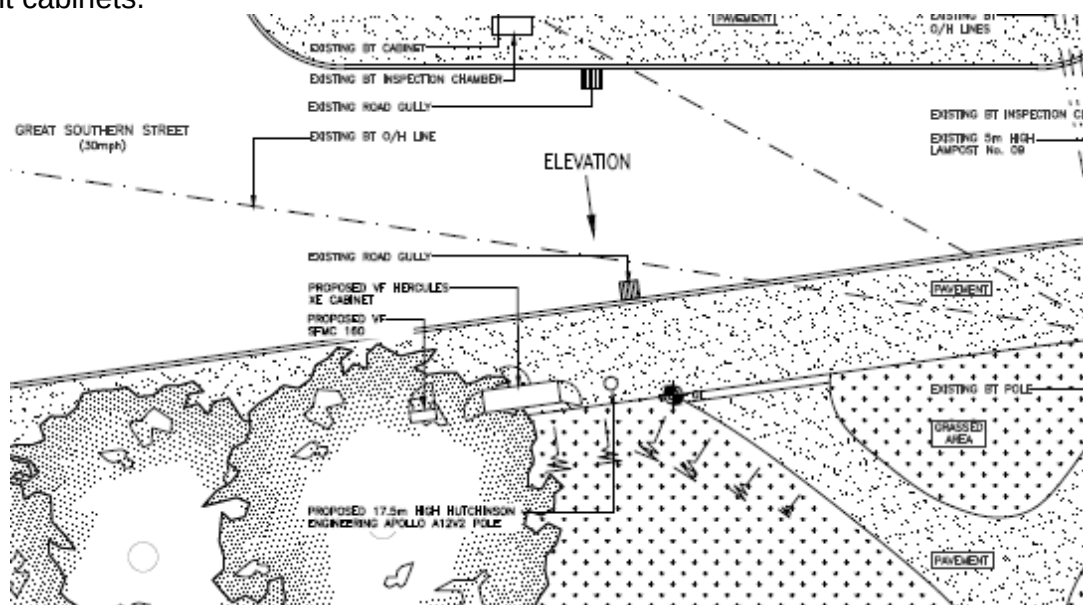
Tree Preservation Order: Not applicable

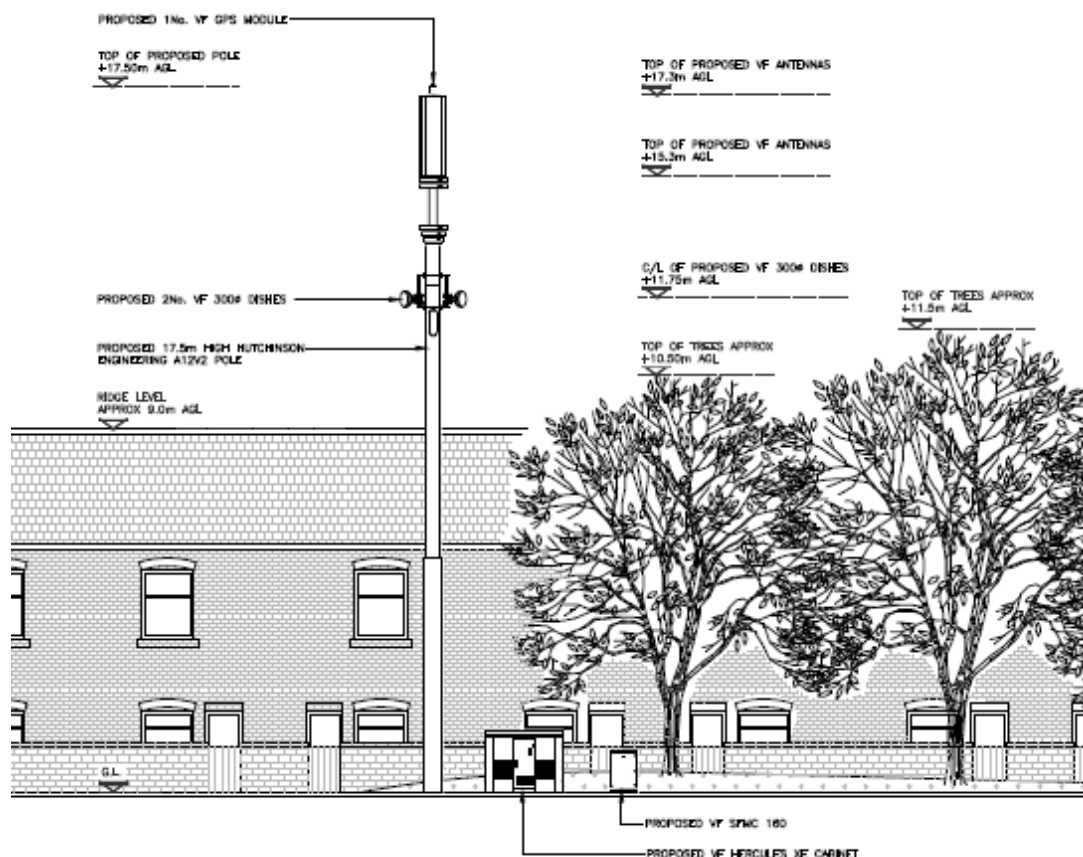
Description of area

The general character of the area is residential in nature dominated by two storey Victorian terraced properties although more modern infill housing is located beyond open space to the east. In the immediate vicinity of the application site are areas of grassed open space to the south and the gable wall to the north of residential property on Ossory Street. There is another telecommunications installation to the west of the grassed outdoor amenity space (reference 121413/TEL/2018). The general application site was subject of a previous prior approval for the installation of a 17.5 metre high monopole reference 124386/TEL/2019 granted in September 2019. A more recent application 128637/TEL/2020 for a mast of the same height was refused as it was considered that it would reduce the width of the footpath to an unacceptable level

Description of development

Prior approval is sought for the installation of a 17.5 metre high telecommunications mast accommodating 3no. antennas, 2no. 0.3m dish, 1No. GPS module together with associated 2no. equipment cabinets.





Consultations & Notification Responses

Local residents

No representations received.

Highways

-Both the monopole and associated antennas and cabinets appear to be placed at the back of the adopted footway. However, it is unclear how large the equipment is and how much footway will be used. Clarification is sought to confirm there will be an unobstructed clearance of 2m (at a minimum) from the equipment to any adjacent street furniture and the edge of carriageway, to cater for pedestrians and wheelchair/buggy users.

-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.

-It is understood that the proposals would require a minimal level of routine servicing/maintenance (every two to three months) which would require maintenance vehicles to be parked nearby in consideration of the surrounding parking restrictions.

Policy

National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was subsequently amended and updated in February 2019 and July 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'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: 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 or specific policies in this Framework indicate development should be restricted.

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

Section 10 Supporting high quality communications - The following paragraphs are considered to be relevant:

- i. Paragraph 114 - States that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. It further states that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) connections. It is considered that the development would be appropriately related to this objective by upgrading the performance of mobile telephone network and its capacity.
- ii. Paragraph 115 - The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Furthermore, that where new sites are required equipment should be sympathetically designed and camouflaged where appropriate.
- iii. Paragraph 116 - States that 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.
- iv. Paragraph 117 - States that all 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. In this case the applicant has provided a satisfactory explanation of the site selection and a ICNIRP declaration. The proposal has been related to clearly presented drawings and a supporting statement. It is considered that sufficient and satisfactory information has been provided.

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 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.

Consolidated GPDO

The latest Consolidated version of the General Permitted Development Order says of the siting of telecoms masts in public footpaths:

"(d) the siting of any development is such that it—
 (i) does not prevent pedestrians from passing along a footway;
 (ii) does not prevent access to premises adjoining a footway; and
 (iii) is determined having regard to—
 (aa) the needs of disabled people; and
 (bb) the guidance document “Inclusive Mobility” issued by the Department for Transport in December 2021¹⁵⁹."

Inclusive Mobility

Inclusive Mobility guidance document, which came out after the last decision on this site, in paragraph 4.2 allows a reduction in the width of footpaths to 1.5 metres and in some cases 1 metre.

Issues

Siting and Appearance – The siting of a mast at this height in this location has previously been deemed to be acceptable through the previous prior approval granted under application reference 124386/TEL/2019. Although in refusing the subsequent application 128637/TEL/2020 concern was expressed about the width of the remaining footpath.

Siting - The site is adjacent an area of green space separated by roads from rows of terraced housing. The proposal would be sited adjacent to trees on the edge of the green space, in a similar manner to another telecoms mast and associated cabinets sited on the western edge of the green space. It is not considered that the proposal would have a significantly detrimental impact on the character of the street scene or the surrounding area.

As indicated in the response from MCC Highway Services there are concerns that the proposed installation of the mast would unacceptably reduce the width of the pavement. The proposal would reduce this width to 1750mm according to the applicant's agent. Whilst this is similar to that previously refused consent recent guidance contained the GPDO and Inclusive Mobility suggest that a narrower footpath is acceptable adjacent to telecom base station. Highways have concluded that in this instance given the level of footfall in this location that the siting of the base station is acceptable.

Appearance – Factors to be considered concerning the appearance of telecommunications equipment include materials, colour and design. The proposed monopole and cabinets would be coloured grey the same as the other telecoms equipment in the locality.

It is considered that the proposal would not give rise to unacceptable impacts on the visual amenity of the area.

Health - The applicant has supplied a statement that the proposal, when operational, will meet the ICNIRP guidelines

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: 100A (Site location plan), 200A (Existing site plan), 300A (Existing site elevation), 201A (Proposed site plan) and 301A (Proposed site elevation) together with accompanying documents, received by the City Council as Local Planning Authority on 20 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).

Appendix 1 – List of consultees & neighbours notified

Highway Services

56 Heald Avenue, Manchester, M14 4HH
50 Heald Avenue, Manchester, M14 4HH
62 Heald Avenue, Manchester, M14 4HH
60 Heald Avenue, Manchester, M14 4HH
54 Heald Avenue, Manchester, M14 4HH
44 Heald Avenue, Manchester, M14 4HH
47 Ossory Street, Manchester, M14 4BX
45 Ossory Street, Manchester, M14 4BX
43 Ossory Street, Manchester, M14 4BX
37 Ossory Street, Manchester, M14 4BX
32 Ossory Street, Manchester, M14 4BX
28 Ossory Street, Manchester, M14 4BX
52 Heald Avenue, Manchester, M14 4HH
58 Heald Avenue, Manchester, M14 4HH
26 Heald Avenue, Manchester, M14 4HH
39 Ossory Street, Manchester, M14 4BX
34 Ossory Street, Manchester, M14 4BX
48 Heald Avenue, Manchester, M14 4HH
38 Heald Avenue, Manchester, M14 4HH
32 Heald Avenue, Manchester, M14 4HH
28 Heald Avenue, Manchester, M14 4HH
22 Heald Avenue, Manchester, M14 4HH
41 Ossory Street, Manchester, M14 4BX
36 Ossory Street, Manchester, M14 4BX
30 Ossory Street, Manchester, M14 4BX
46 Heald Avenue, Manchester, M14 4HH
42 Heald Avenue, Manchester, M14 4HH
40 Heald Avenue, Manchester, M14 4HH
36 Heald Avenue, Manchester, M14 4HH
34 Heald Avenue, Manchester, M14 4HH
30 Heald Avenue, Manchester, M14 4HH
24 Heald Avenue, Manchester, M14 4HH
20 Heald Avenue, Manchester, M14 4HH

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH