
Application Number	Date of Appln	Committee Date	Ward
091792/FO/2009/N2	30th Dec 2009	11th Mar 2010	Ardwick Ward

Proposal Installation of 50 metre high radio mast with associated GRP equipment hut, 2.4 metre high palisade fence with access gates and 800mm high Armco barrier

Location Stagecoach Manchester, Hyde Road, Ardwick, Manchester, M12 6JS,

Applicant , Stagecoach Manchester, Head Office, Hyde Road, Ardwick, Manchester, M12 6JS,

Agent , Stagecoach UK Bus, Construction Department, Hyde Road, Ardwick, Manchester, M12 6JS

Description

Site

The application site is located centrally within an existing bus depot. The depot is situated between the main railway line from Manchester Piccadilly and Hyde Road.

The site is industrial in character, while its immediate surroundings are characterised by:

The adjacent railway viaduct and associated gantries;

Warehousing and large-scale storage uses;

Industrial and light industrial uses;

Office blocks;

The Coverdale Crescent and West Gorton residential areas, which are each approximately 300m from the site;

A college of further education in a Grade II* listed building at the nearby Nicholls House, facing Hyde Road from the opposite side of Devonshire Street North.

Proposal

The proposal is for the erection of a 50m high telecommunications mast with associated ground-based equipment. The structure and equipment would be within a small compound formed of 2.4m high galvanised steel palisade fencing incorporating double access gates. The mast would be constructed from a galvanised steel latticework. The mast would support the equipment required to provide a radio network between buses in Greater Manchester, run by both Stagecoach and First Bus.

The mast is required to replace the existing 50m high mast which is currently located 275m to the east of the application site, on the other side of the railway line and within a large-scale container storage depot. The applicant has been required to cease the occupation of that site due to landlord requirements.

Consultations

Neighbouring residents and businesses

A statutory notification letter was sent to surrounding occupiers, including residential properties at Coverdale Crescent. A site notice was posted and an advertisement placed in Manchester Evening News. No representations have been received.

South Manchester Regeneration - No objections if there is no alternative, bearing in mind the proximity of the Coverdale residential area. The agent has confirmed that a 50m high mast is necessary for the functioning of the communication equipment, and that their provider continually assesses performance and reviews methods.

New East Manchester - No objections

Network Rail -

At this stage Network Rail would like to object to the above proposal. There were no diagrams sent concerning the proposal showing the predicted field strength and footprint of the emissions from the mast. As the mast is within 100 metres of the track, we would need to clear it in accordance with our standard, R/L2/TEL/30066, so we would need to know what sort of transmitter it is (Tetra radio etc.), what frequencies are being transmitted, and at what strength. We have some equipment rooms in that area for both signalling and telecoms and we would need to be sure that the mast is not going to have an adverse affect on Network Rail equipment.

Following subsequent discussions with the applicant, further comments were received as follows:

Network Rail would like to remove the objection to this proposal and have the following comments to make:

We would wish to see the mast sited so that the lateral distance from the railway boundary to the foot of the mast is greater than the height of mast;
Should the mast collapse for any reason then the developer should ensure that any fail safe distance will include the masts potential for topple in the direction of the railway line. Although it appears sufficient distance is allowed between the mast and the railway line the developer should be made aware that the proposal should not in any way affect the safety, operation and integrity of the railway including in the event of a topple of the mast;
If the proposal calls for cabling, any laying down or connection of cabling must not in any way compromise or harm the railway.

The proposed mast would be further away from the rail line than its own height.

Issues

Relevant site history

The following applications relate to the existing mast which would be dismantled should the proposal be approved and implemented:

Planning permission was granted for the erection of a self-supporting radio mast and associated equipment room at the G.M.P.T.E. Bennett Street Premises on 07/01/1981 (F14440 refers).

Planning permission was granted for the increase in height of the existing radio mast from 43.9m. to 62.2m at the G.M.P.T.E. Bennett Street Premises on 05/12/1984 (23009 refers).

Policies

Regional Spatial Strategy

Policy DP1 seeks to promote environmental quality;

Policy DP7 seeks to promote environmental quality through understanding and respecting the character and distinctiveness of places and landscapes; the protection and enhancement of the historic environment; promoting good quality design in new development and ensuring that development respects its setting taking into account relevant design requirements;

Policy W1 seeks to strengthen the Regional Economy by ensuring the safe, reliable and effective operation of the region's transport networks and infrastructure in accordance with the regional transport policies and priorities.

Central Government Guidance contained within PPG8

Paragraph 14. Protection from visual intrusion and the implications for subsequent network development will be important considerations in determining applications.

Paragraph 24. In seeking to arrive at the best solution for an individual site, authorities and operators should use sympathetic design.

Unitary Development Plan for the City of Manchester (adopted 1995)

Policy H2.2 The Council will not allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy DC17 This 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. Policy H2.2 states that the Council will not allow development, which will have an unacceptable impact on residential areas.

Issues

It is considered that the principal issues in determining the application are: the effect of the proposed mast on the visual amenities of the area, including the key rail and road routes and nearby residential accommodation; and the effect of the proposed mast on the setting of the nearby Grade II* listed building.

Visual impact

It is considered that the impact of the proposed mast would be no greater than that of the existing structure, as it would be sited in a similar context and in close proximity to the existing site.

The proposed mast would be further away from the West Gorton residential area

and not significantly closer to Coverdale Crescent than the existing structure.

The applicant has demonstrated, by photomontage, the effect of the proposal from key local viewpoints. These are: the Apollo Theatre roundabout at Hyde Road; Chancellor Lane at the junction of Dark Lane; Hyde Road at railway bridge (adjacent 225 Hyde Road and Bennett Street junction); Stockport Road at junction with Devonshire Street. The submission has demonstrated that there would be no significantly detrimental visual impact as a result of the proposal.

Legal agreement

On the basis of the above, it is considered that the proposal would be acceptable subject to the removal of the existing mast. This can be secured through any planning permission by means of an associated S106 legal agreement. The applicant has agreed in principle to such an agreement, by which the dismantling of the existing mast would be required within 6 months of the installation of the proposed equipment.

Effect on listed building

Given the overwhelming commercial context of the site and of the listed building at Nicholls House, and considering the degree of visual separation between the proposed mast and the listed building, it is not considered that the mast would have a significant detrimental effect on its setting.

Need for the proposed structure

The applicant has confirmed that the 50m mast is necessary for the functioning of the system. Given the existing identical mast, it is considered that there would be no significant increase in visual intrusion as a result of the development and the proposal is adequately justified in need and design terms.

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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation MINDED TO APPROVE

Minded to Approve in light of the development plan, including policies H2.2 and DC17 of the Unitary Development Plan for the City of Manchester (adopted 1995), Central Government Guidance contained within PPG8, and policies DP1, DP7 and W1 of the Regional Spatial Strategy, and subject to legal agreement requiring the removal of the existing mast, on the basis that the proposal would not have a significant detrimental effect on visual amenity, the amenities of nearby occupiers, while contributing to the effective running of the transport network, and there are no material planning considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the drawings numbered CS014381-50428-02, 852/SK001/SP, CS014381-50428-03, 852/SK001/P1, CS014381-50428-01, and the design and access statement date stamped as received by the Local Planning Authority on 23 November 2009, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans.

3) Notwithstanding the provisions of Part 24 of the Town and Country Planning (General Permitted Development) Order 1992, the planning permission hereby granted relates to the operation of the mast and associated equipment in connection with the bus network and in no other capacity. In the event of the cessation of the use of the mast and equipment as hereby approved, the mast shall be dismantled in accordance with a schedule to be agreed within three months of the cessation of that use, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason

In the interests of visual amenity, pursuant to policies E3.3 and DC17 of the Unitary Development Plan for the City of Manchester (adopted 1995).

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 091792/FO/2009/N2 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

South Manchester Regeneration
New East Manchester
Network Rail

94 Coverdale Crescent, Manchester, M12 4BJ
96 Coverdale Crescent, Manchester, M12 4BJ
98 Coverdale Crescent, Manchester, M12 4BJ
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80 Coverdale Crescent, Manchester, M12 4BJ
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84 Coverdale Crescent, Manchester, M12 4BJ
86 Coverdale Crescent, Manchester, M12 4BJ
88 Coverdale Crescent, Manchester, M12 4BJ
90 Coverdale Crescent, Manchester, M12 4BJ
92 Coverdale Crescent, Manchester, M12 4BJ
8 Stansby Gardens, Manchester, M12 4AR
10 Stansby Gardens, Manchester, M12 4AR
19 Stansby Gardens, Manchester, M12 4AR
21 Stansby Gardens, Manchester, M12 4AR
12 Stansby Gardens, Manchester, M12 4AR
14 Stansby Gardens, Manchester, M12 4AR
23 Stansby Gardens, Manchester, M12 4AR
25 Stansby Gardens, Manchester, M12 4AR
27 Stansby Gardens, Manchester, M12 4AR
29 Stansby Gardens, Manchester, M12 4AR
Wizard Price Ltd, Bennett Street, Manchester, M12 5AQ
Homestyle Direct, Unit 7-8, Bennett Street, Manchester, M12 5AQ
Manchester Coppersmiths, Garland Works, Bennett Street, Manchester, M12 5BW
Eurobox, Bennett Street, Manchester, M12 5AQ
Fast Forward Recycling Ltd, Bennett Street, Manchester, M12 5AQ
D B Processors & Packets, Bennett Street, Manchester, M12 5AQ
Stagecoach Manchester, Hyde Road, Manchester, M12 6JS
Nicholls Sixth Form Centre, Ford Street, Manchester, M12 6BA
Alder Brook Management, Apex House, 2 Devonshire Street North, Manchester, M12 6JQ
Apex Self Storage Ltd, Apex House, 2 Devonshire Street North, Manchester, M12 6JQ

Index Technology Ltd, Apex House, 2 Devonshire Street North, Manchester, M12 6JQ
2 Stansby Gardens, Manchester, M12 4AR
4 Stansby Gardens, Manchester, M12 4AR
6 Stansby Gardens, Manchester, M12 4AR
G U S Catalogue Order Ltd, Universal House, Devonshire Street North, Manchester, M12 6JG
Northern Way Properties Ltd, Universal House, Devonshire Street North, Manchester, M12 6JE
Shop Direct Group Ltd, Universal House, Devonshire Street, Manchester, M60 6EL
East Manchester Housing Market Renewal, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
One21designs Ltd, 2 Universal Square, Devonshire Street North, Manchester, M12 6JH
Top Quote Ltd, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Block D, Universal Square, Devonshire Street North, Manchester, M12 6JH
Cartel Client Review, 5 Universal Square, Devonshire Street North, Manchester, M12 6JH
Mason Williams Ltd, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Debt Connect Uk Ltd, 2 Universal Square, Devonshire Street North, Manchester, M12 6JH
3 Universal Square, Devonshire Street North, Manchester, M12 6JH
Fine Green Associates, 4 Universal Square, Devonshire Street North, Manchester, M12 6JH
M & A Embroidery Ltd, Unit 24, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 25, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Patchi, Unit 26, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 27-28, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Peak Mobility & Handling Ltd, Unit 68, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 67, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Piranha Technologies, Unit 29, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 59, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 115, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 30, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 64, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Sfoyz, Unit 63, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 60, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Universal Security Services (england) Ltd, Unit 56, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Cariocca Enterprises (manchester) Ltd, Unit 55, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 58, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 95, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 44, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 45, Cariocca Business Park Hellidon Close, Manchester, M12 4AH

Breakthrough Uk Ltd, Unit 47, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 40, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
P A C T, Unit 50-51, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 49, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 46, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Bambrooks Foods, Unit 53, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 37, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 54, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 35, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 34, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
18 Polebrook Avenue, Manchester, M12 4EL
16 Polebrook Avenue, Manchester, M12 4EL
12 Polebrook Avenue, Manchester, M12 4EL
14 Polebrook Avenue, Manchester, M12 4EL
Flat 4, 10 Polebrook Avenue, Manchester, M12 4EL
Flat 5, 10 Polebrook Avenue, Manchester, M12 4EL
Flat 2, 10 Polebrook Avenue, Manchester, M12 4EL
Flat 1, 10 Polebrook Avenue, Manchester, M12 4EL
Flat 6, 10 Polebrook Avenue, Manchester, M12 4EL
Flat 3, 10 Polebrook Avenue, Manchester, M12 4EL
8 Polebrook Avenue, Manchester, M12 4EL
6 Polebrook Avenue, Manchester, M12 4EL
4 Polebrook Avenue, Manchester, M12 4EL
2 Polebrook Avenue, Manchester, M12 4EL
50 Coverdale Crescent, Manchester, M12 4FG
52 Coverdale Crescent, Manchester, M12 4FG
54 Coverdale Crescent, Manchester, M12 4FG
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58 Coverdale Crescent, Manchester, M12 4FG
60 Coverdale Crescent, Manchester, M12 4FG
62 Coverdale Crescent, Manchester, M12 4FG
64 Coverdale Crescent, Manchester, M12 4FG
Kirkfield Trading Ltd, 2 Universal Square, Devonshire Street North, Manchester, M12 6JH
Enterprise Care Group, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Sodexo, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Manchester Working Ltd, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Jade 2003 Ltd, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Claims Handling Uk, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Legal Costs Associates Ltd, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH
Neil Millar & Co, 2 Universal Square, Devonshire Street North, Manchester, M12 6JH
Northern Way Properties Ltd, 1 Universal Square, Devonshire Street North, Manchester, M12 6JH

The Louise Da-cocodia Education Trust, Unit 52, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Unit 33, Cariocca Business Park Hellidon Close, Manchester, M12 4AH
Mercy Educational Society, 116 Hyde Road, Manchester, M12 5AR
Empire Castiglioni Ltd, Unit 32, Cariocca Business Park Hellidon Close, Manchester, M12 4AH

Representations were received from the following third parties:

South Manchester Regeneration
New East Manchester
Network Rail

Relevant Contact Officer : Robert Lilburn
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Email : r.lilburn@manchester.gov.uk