

Application No: 20/3347M

Location: SITE AT, GOODALL STREET, MACCLESFIELD, CHESHIRE, SK11 7BD

Proposal: The installation of a 5m high lattice stub tower supporting 3no. antennas, 2no. 300mm transmission dishes, proposed 2no. equipment cabinets and ancillary development thereto including 18no. Remote radio units (RRU's) and 9no combiners

Applicant: Vodafone Limited

Expiry Date: 28-Sep-2020

### **SUMMARY**

The proposal would be acceptable in principle. While there would be a degree of visual impact, this is not unusual for service infrastructure and this impact has been minimised through its siting. There would be no harm to surrounding heritage assets. The proposed development would deliver significant public benefit. It is therefore recommended that the application be approved.

### **SUMMARY RECOMMENDATION**

Approve with conditions

## **REASON FOR REFERRAL**

The application has been called to Committee by local ward member, Councillor Mick Warren, for the following reasons:

*“Inappropriate for a residential area, too close to current and future homes loss of amenity”*

## **DESCRIPTION OF SITE AND SURROUNDINGS**

The application site is in a mixed-use area of Macclesfield on the eastern side of Goodall Street. The application site is the site of former industrial premises which has been demolished and has planning permission for the construction of offices, assisted living accommodation and housing, currently under construction. Several commercial and industrial properties lie to the west of the site, with a pub and residential properties to the north of the site, a former community activity centre to the east. To the south there will be residential properties as part of the development approved in 2018, with existing residential properties along Jodrell Street.

## **DETAILS OF PROPOSAL**

The applicant proposes to erect a 5m high lattice stub tower with dishes and antennas on top of an office building which is currently under construction. The total height from the ground to the top of the equipment would be 14m. The equipment would be used as telecommunications infrastructure.

## **RELEVANT PLANNING HISTORY**

17/6028M – Proposals for a mixed-use development comprising offices, assisted care living and residential – Approved – 15 May 2018

17/1986M - Proposed demolition of general industrial building (Anderson House) and the construction of 10.No terraced houses. – Withdrawn – 3 October 2017

15/0529M - Proposed Upgrade to Existing Base Station – Telecommunications – Approval not required – 30 March 2015

50036P – Extension to existing industrial building – Approved – 19 August 1987

34832P – Internal alterations and single storey extension at rear of premises – Approved – 7 October 1983

## **POLICIES/LEGISLATION**

### **Cheshire East Local Plan Strategy 2017 (CELPs)**

- MP1 Presumption in Favour of Sustainable Development
- SD1 Sustainable development in Cheshire East
- SD2 Sustainable development principles
- SE1 Design
- SE2 Efficient use of land
- SE4 Landscape
- SE7 Historic environment
- CO3 Digital connections

### **Macclesfield Borough Local Plan – saved policies (MBLP)**

- BE6 Macclesfield Canal Conservation Area
- E11 Mixed Use Areas
- DC3 Protection of the amenities of nearby residential properties
- DC60 Telecommunication Equipment

### **Other Material Considerations**

- National Planning Policy Framework (2019)
- National Planning Practice Guidance

## **SITE VISIT**

A site visit was carried out on 18<sup>th</sup> August 2020.

## **CONSULTATIONS (EXTERNAL TO PLANNING)**

**Manchester Airport** - No aerodrome safeguarding objections. Informative recommended related to any tall equipment that may be used during the construction period.

**Head of Strategic Transport** - No material highway implications associated with the proposal. No objection.

## **OTHER REPRESENTATIONS**

Six objections have been received from neighbours. The main reasons for objecting can be summarised as follows (full comments can be viewed on the Council's website):

- The development will be visually obtrusive;
- There is currently an existing mast on the site that has been there for a number of years. It is unsightly and is currently on a partly-demolished wall. The existing mast has not been properly maintained, and future equipment may be treated similarly. The new equipment will be higher and will have additional antennas and dishes.
- The development may have an impact on the health of neighbouring residents.
- The area is residential, not industrial;
- The development will have an impact on property prices.
- The development will ruin the view from neighbouring properties and gardens;
- Not all households who would be able to see the development from their property were consulted on the application.

### **Officer Response**

- The following issues raised will be discussed in the officer appraisal below:
  - design and visual impact;
  - neighbour amenity; and
  - appropriateness of the proposal for the area.
- Issues such as an individual's loss of a view and reductions in property values are not material planning considerations in this case.
- The Town and Country Planning (Development Management Procedure)(England) Order 2015, Part 3, Article 15 (5) states that the application must be publicised giving required notice by site display in at least one place on or near the land to which the application relates for not less than 21 days; or by serving the notice on any adjoining owner or occupier. In this instance, adjoining neighbours were consulted via letter and a site notice was displayed outside the site.

## **OFFICER APPRAISAL**

### **Principle of development**

The application site lies with an area of Macclesfield that is designated as a Mixed Use Area. In accordance with Saved Policy E11 of the MBLP, within mixed use areas a range of uses may be permitted, including B2 (general industry), B1 (offices and commercial use), small scale warehousing and storage, retailing, visitor accommodation and tourist attractions, housing and open space, provided that the new use does not: conflict with other proposals of the plan, materially harm adjoining or nearby uses and in the case of housing, a satisfactory housing environment can be created.

The application site is the site of former industrial premises which has been demolished and has planning permission for the construction of offices, assisted living accommodation and housing, currently under construction. Several commercial and industrial properties lie to the west of the site, with a pub and residential properties to the north of the site and a former community activity centre to the east. To the south there will be residential properties as part of the development approved in 2018, with existing residential properties along Jodrell Street.

Chapter 10 of the National Planning Policy Framework (2019) sets out the Government's general policy position supporting high quality communications infrastructure. Paragraph 112 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."

Paragraph 113 states "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."

Paragraph 114 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."

Paragraph 115 states "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. This should include:

- a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and
- b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or
- c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 116 states “Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.”

Policy CO3 of the Cheshire East Local Plan Strategy states that “High capacity, leading edge digital communication networks will be supported in Cheshire East to meet the needs of businesses and communities, subject to the number(s) of radio and telecommunications masts (and sites for such installations) being appropriately located and kept to a minimum and consistent with the efficient operation of the network.” It also advises that “Developers will be required to work with appropriate providers to deliver the necessary physical infrastructure to accommodate information and digital communications (ICT) networks as an integral part of all appropriate new developments.”

Saved Policy DC60 of the Macclesfield Borough Local Plan provides detailed requirements for a variety of telecommunications equipment, including masts and satellite dishes. Of particular relevance to this application:

- “Masts or similar structures should normally be sited on existing buildings or structures”;
- “the provision of masts or similar structures, antennas or other telecommunications development will normally be permitted unless the proposal:
  - I. would adversely affect a Listed Building or its setting
  - II. would adversely affect the appearance of a building in a designated conservation area or would adversely affect the character of a conservation area;
  - III. would adversely affect an area of special county value for landscape;
  - IV. would be visually obtrusive and result in a significant impact upon visual amenity in either a rural or urban area.”
- “In determining applications regard will be had to relevant technical constraints.”

National and local policies support the provision of communication infrastructure within the Borough. The site is in a mixed-use area, and while there are residential properties within the area paragraph 114 of the NPPF states that local planning authorities should not impose a ban on new electronic communications development in certain areas, or insist on minimum distances between new electronic communications development and existing development.

In accordance with paragraph 115 of the NPPF, consultation letters were sent to the town council, local ward councillor and member of parliament prior to submission of the application. The proposal would use an existing site, and a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection has been submitted with the application.

Planning history demonstrates that there has been telecommunications equipment at this site for several years, with an application in 2015 replacing an existing previous structure and evidence of a mast on the site from Google Streetview imagery at least from 2009. The building this equipment was attached to has now been demolished, and the applicant proposes to replace this with a new structure on the new building which is currently being constructed at the site. It is acknowledged that new equipment may be required to replace

existing equipment that may be lost through the redevelopment of a site, and that masts may need to be redeveloped or replaced to enable an upgrade in services to take place.

The proposal is therefore considered to be acceptable in principle, subject to its compliance with the rest of the development plan.

## **Design**

CELPs policy SD2 notes that development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, choice of materials, external design features, massing of development, and relationship to neighbouring properties, street scene and the wider neighbourhood.

A Code of Best Practice has been developed for mobile network development in England and published in November 2016. It has been developed by a working group consisting of representatives of Arqiva; the Department for Communities and Local Government; the Department for Culture Media and Sport; the Department for Environment, Food and Rural Affairs; Historic England; the Local Government Association; Mobile UK (representing the Mobile Network Operators); Landscapes for Life; National Parks England; and the Planning Officers Society.

As indicated in the code of best practice *“radio signals operate like light and must “see” over the target coverage area, they cannot be hidden and so there will always be a degree of visual impact.”* While it is good practice to ensure that visual impact is reduced where possible, telecommunications equipment of this type will cause some visual impact. Therefore, the main issue to be discussed is whether the siting and appearance of the proposed equipment would have such a negative visual impact that it would warrant a refusal.

The proposal would have a greater visual impact than the previous structure on the site. There would be an increase in the elevation of the structure on the new building, with an increase in total height from the ground from approximately 12m to 14m. The style of the structure would also change from a narrow monopole to a lattice stub tower with dishes and antennas. The applicant has advised that new technology, such as 5G, requires different infrastructure than previous generations to provide connectivity. Wherever possible, existing installations would be utilised to accommodate the necessary infrastructure, but in certain cases the upgrade of services would require a dual pole solution for sites which currently have a single pole design. Due to the beamforming technology required for 5G services, the antenna height in many cases must be greater than for previous generation technology. During the course of the application, the applicant has reduced the width of the headframe and the lattice tower to minimise impact on the surrounding area, while meeting technical requirements.

In accordance with the National Planning Policy Framework, planning decisions should support the expansion of electronic communications networks. As previously established, it is expected that in general, towers, antennae and associated equipment will have some visual impact. In this instance, it is considered that the proposal will have a visual impact due to its height and design. However, it is not considered that the equipment will appear incongruous in the urban environment, where utilities are present to serve the population and are often visible. The siting of the proposed equipment towards the rear of the site, adjacent to the

former industrial unit recently used as an activity centre and opposite commercial units, would also help the equipment to blend into its surroundings. While the equipment would be visible, it is not considered that the impact would be so harmful as to warrant a refusal.

### **Heritage**

Policy SE7 of the CELPS seeks to protect the heritage assets of the Borough. While the site is not in any conservation area or adjacent to a heritage asset, due to the total height of the structure it is possible that there would be impacts on surrounding heritage assets, including Grade II Listed Union Mill; Grade II Listed Church of St Paul, Macclesfield Canal Conservation Area and the listed bridges on the canal.

A heritage statement has been submitted in support of the application which explores the significance of these buildings and structures, and the impact of the proposed development on their significance.

The heritage assets are a substantial distance from the proposal site, and due to the dense urban environment, views within the townscape would be predominantly obscured by existing intervening development between the site and these heritage assets. Due to the lack of contribution of the site to the significance of the heritage assets, and the lack of visibility of the proposed tower in views of or from the heritage assets, it is not considered that there would be any harm to the significance of these heritage assets.

The Council's built conservation officer has reviewed this information, and advises that if any harm to Union Mill and the limited wider view, this is less than significant and should be taken in regard to any public benefit that the scheme produces. Any views are remote and minimal and the proposed tower does not affect the immediate setting or character of the Mill. The conservation officer does not believe that, given the dense urban footprint, the proposed tower will be seen from the general canal area. There may still be views from the bridges, but they will be minimal and lost in the general roof tops. The built conservation officer has no objections with regards to the heritage impacts of the proposed development. The proposal is therefore considered to comply with policy SE7.

### **Living Conditions**

Saved policy DC3 of the Macclesfield Borough Local Plan (MBLP) states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to loss of privacy, overbearing effect, loss of sunlight and daylight, noise, vibration, smells, fumes, smoke, soot, ash, dust or grit, environmental pollution, hazard substances and industrial processes, traffic generation, access and car parking. Saved policy DC38 of the MBLP provides guidelines for separation distances.

There are residential properties around the site, including: to the north along Brook Street; being developed to the south following approval of application 17/6028M in 2018 and beyond this development along Jodrell Street; to the east beyond the former activity centre along Swettenham Street.

Paragraph 116 of the Framework states "Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure."

The applicant has submitted a certificate of the declaration of International Commission on Non-Ionizing Radiation Protection (ICNIRP) compliance with the application, certifying that the site is designed to be in full compliance with the requirements of the radio frequency guidelines of the ICNIRP for public exposure as expressed in the EU Council recommendation of July 1999.

Due to the open nature of the equipment, it is not considered that the proposal will harm neighbouring residents with regards to loss of sunlight and daylight. The equipment will be viewed within the context of the built form of the site and it is not considered that this will have an overbearing impact on neighbouring residents.

## **CONCLUSIONS**

The proposal would be acceptable in principle. While there would be a degree of visual impact, this is not unusual for service infrastructure and this impact has been minimised through its siting. There would be no harm to surrounding heritage assets. The proposed development would deliver significant public benefit. It is recommended that the application be approved subject to the following conditions:

1. Time Limit: standard three years
2. Development in accordance with approved plans
3. Materials as application

In order to give proper effect to the Northern Planning Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chairman (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.

