



HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Geoff Little OBE
Chief Executive Officer
Bury Town Hall
Knowsley Street
Bury
Lancashire
BL9 0SW

Our Ref: JD22823

6 October 2022

Dear Geoff,

Re: Planning Application – 68813

I am writing to request that an application to Bury Council for prior approval for a proposed 5G 16m telecoms installation: H3 G street pole and additional equipment cabinets (ref: 68813) be referred to the planning committee for final decision.

At the time of writing, there are 147 comments, and on this ground alone, I urge that local democratic accountability is essential in determining this application. It should be inconceivable that this matter be decided by delegated decision when there has been such a number of comments from local residents, the vast majority of which strongly oppose the application. The legitimacy of planning decisions, especially when related to public policy, can only have credibility when done openly in public.

In my view, this application is clearly deficient, and as a matter of public policy, therefore, these issues must be aired and questions raised in a public forum.

For example, the National Planning Policy Framework states that applications should include:

Para 117 (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.

It seems extraordinary that the only consultation the applicant conducted was with Bury Council, and a single e-mail was sent to Greenmount Primary School during the summer holidays. There is no evidence to say this e-mail was sent to the correct email account or that it was indeed received. It is inconceivable that this consultation should have completely discounted all local residents and other interested local organisations. The required consultations were not sufficient or in line with the requirements of the NPPF and, if allowed to proceed by way of delegated decision, would mean the local Greenmount community has been completely excluded from the process and any views or questions they may have had or do have been treated with utter contempt by the applicant.

The NPPF requires:

Para 114 Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded overtime;

Para 115 The number of radio and electronic communication masts and the sites for such installations should be kept to a minimum, consistent with the needs of consumers.

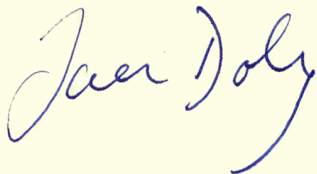
The current Bury Council Policy (EN1/10) definitively does not address these fundamental requirements and is clearly deficient and not in line with NPPF requirements. It is also concerning that the issue of public consultation has been explicitly excluded from the document. Where is the plan to identify the sites needed? Where is the analysis of the needs of consumers? With respect to this application, it is clear that many of those objecting are stating clearly there is no local need for this provision, and therefore the needs of consumers are not being met. This decision should not even be considered before Bury Council develop an appropriate and more detailed local policy on which to judge such applications.

The visual and physical impact of the 16 m mast on local homes is obvious. It should be subject to far more detailed analysis and scrutiny, and the opportunity in a public forum should be given to local residents to share their views on this legitimate planning ground for objecting to the application.

I would also argue that the application's wording does not clearly explain the current position in the NPPF as to how such applications should be considered. In my view, the selective choice of certain paragraphs within the NPPF creates a distorted view of the guidance LA's should follow when considering such applications. The matters set out above are not referenced as they hinder the application, and it is not made clear in the application that "Local planning authorities must determine applications on planning grounds only" para 118. The application is lacking in supporting evidence and creates only a partial picture in my view of NPPF guidance, and this clearly should not be acceptable and could possibly lead to misunderstanding or concern from local residents who may be unaware of their right to object to this application and the grounds upon which that can be done.

To maintain faith in an open, transparent planning system, I urge Bury Council to place this application before the Planning Committee.

Yours sincerely

A handwritten signature in blue ink that reads "James Daly". The signature is written in a cursive, flowing style.

James Daly MP