



Appeal Decision

Site visit made on 10 March 2025

by **M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th March 2025

Appeal Ref: APP/P4225/W/24/3353275

Hollin Lane Bus Stop, Hollin Lane, Top of Hebers, Middleton, Rochdale M34 5LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Cornerstone against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref is 24/00229/TELE.
 - The development proposed is described as 'the installation of a 20m high monopole, supporting 6 no. antennas, 3 no. ERS units and 2 no. transmission dishes. Installation of 2 no. ground based cabinets (Grey) and 2 no. concrete bollards and ancillary development required thereto.'
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Decision

1. The appeal is allowed and approval is granted under the provisions of Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a 20 high monopole, supporting 6 no. antennas, 3 no. ERS units and 2 no. transmission dishes. Installation of 2 no. ground based cabinets (grey) and 2 no. concrete bollards and ancillary development required thereto, at Hollin Lane Bus Stop, Hollin Lane, Middleton, Rochdale M34 5LE, in accordance with the terms of the application Ref 24/00229/TELE, and the plans submitted with it.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking account of any representations received. My determination of the appeal has been made on the same basis.
3. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO, do not require regard to be had to the development plan. Nevertheless, I have had regard to the policies of the development plan, as well as the National Planning Policy Framework (the Framework), in so far as they are a material consideration relevant to matters of siting and appearance. The Government published a revised Framework in December 2024. Although some paragraph numbers have changed, the revisions do not relate to anything that is fundamental to the main issues in this appeal. Thus, reference to the revised Framework would not be prejudicial.
4. The appellant has considered 28 sites for the development proposed, significantly more than the 9 that were before the Council during the determination of the application. This information has been supplied in order to address the Council's

concerns regarding the consideration of alternative sites. The Council has had opportunity to review this information during the appeal process and no interested party representations were made in respect of the proposal. Whilst all alternative sites contemplated should have been presented to the Council at the time the application was considered, as required by the Framework, I am satisfied that there would be no prejudice in accepting the material in this instance.

Main Issues

5. The main issues in this appeal are i) the effect of the siting and appearance of the proposed installation on the character and appearance of the area and, ii) if any harm would occur, whether that harm would be outweighed by the need for the installation to be sited as proposed, taking into account suitable alternatives.

Reasons

Character and Appearance

6. The appeal site comprises a wide pavement alongside a bus stop on Hollin Lane, a well-trafficked 'A'-road. The surrounding area is predominantly residential in nature, although there are a cluster of commercial premises around the junction of Hollin Lane and Langley Lane, opposite the appeal site. Buildings are generally modest 2-storey dwellings such that the area has a typically suburban appearance.
7. The presence of a previous 12.5m mast at the appeal site, does not indicate automatic acceptance of a larger, taller mast in this location. Rather it falls for the specific siting and appearance of the proposed installation before me to be considered, in light of the current context of the surroundings.
8. Vertical features are present within the vicinity of the appeal site including telegraph poles, street-lighting columns and a limited number of trees. The remaining street furniture including signage, bus stops, traffic lights, railings and bollards whilst adding to visual clutter, are of only low scale.
9. The proposed mast would be experienced by motorists and pedestrians for some distance along Hollin Lane in both northerly and southerly directions, particularly the latter due to its straight alignment. It would also be visible in shorter distances from Langley Lane. Whether or not such installations are designed to be installed and are common in urban areas, the proposed 20m high mast would be significantly taller than the adjacent dwellings and lighting columns that exist to 7.5m and 12m respectively¹.
10. Despite being coloured grey to match the existing lighting columns and an often-grey sky, the proposed mast would be greater in thickness and of a noticeably different shape, with the antennas drawing the eye. Its height and form would cause the mast to stand out obtrusively and conspicuously, dwarfing nearby buildings. The modestly scaled surroundings would not therefore, provide suitable visual mitigation². The proposed mast has not been sympathetically designed or camouflaged as required by paragraph 120 of the Framework. Moderate harm would consequently be exerted on the character and appearance of the area.

¹ As shown on the proposed site elevation drawing number 301 Rev A.

² As evidenced in the appellant's photomontage document CTL 18.

11. The proposed equipment cabinets would be coloured grey consistent with other street furniture and would be of a low scale viewed in the context of the existing bus shelter. Appearing as a typical piece of street furniture, they would not have a detrimental effect on the character and appearance of the area. However, they are only required to support the proposed mast and would not be installed otherwise.
12. Due to the moderate harm arising from the siting and appearance of the proposed mast, it would be contrary to Policies P1, P3 and DM1 of the Rochdale Core Strategy. Together these policies seek to support high quality development that respects the context with regard to scale and height, amongst other things. It would also be contrary to Policy JP-C2 of the Places for Everyone Joint Development Plan (2024) which requires townscape quality to be protected when enabling the roll-out of the latest mobile generation technology. The proposal would further be contrary to paragraph 120 of the Framework which requires equipment to be sympathetically designed and camouflaged where appropriate.

Availability of Suitable Alternatives

13. I have had regard to the range of reports presented by the appellant including but not limited to Collaborating for Digital Connectivity, UK Wireless Infrastructure Strategy and Connected Nations. I acknowledge that there is a need to support the expansion and improvement of electronic communication networks, including next generation mobile technology that would be likely to engender positive social and economic benefits³.
14. A mast exists on land to the rear of 157-171 Windermere Road which is currently shared by Vodaphone and Virgin Media O2. The appellant advises that it is not possible to upgrade this mast with 5G equipment for both users without replacing it with larger, bulkier infrastructure such as a lattice tower. The existing mast is to be retained for use by Vodaphone only, with Virgin Media O2 requiring a new structure within the coverage area. The proposed mast would provide improved 2G, 3G and 4G service, whilst also introducing 5G coverage and capacity which does not currently exist⁴. From the material provided, I do not doubt the need for improved network coverage in the area.
15. Comprehensive evidence has been supplied which identifies the cell search area and a large number of alternative sites that have been considered, including installations on the ground as well as on existing buildings⁵. The detailed reasons why each of the alternative identified sites were discounted have not been disputed by the Council. However, the Council suggests that it is not satisfied that further alternative sites in this area have been fully explored but it has not evidenced why it considers this to be the case. I acknowledge that it is not the Council's responsibility to identify sites for telecommunications development but nonetheless, it has not proactively suggested any alternatives.
16. It is clear from the evidence presented that the number of sites considered within the constrained search area is extensive⁶. I am satisfied that an installation located outside of the search area would not allow the operator to provide their desired level of coverage or capacity. Other appeals within the search area and vicinity of the appeal site have previously failed, including one for which I was also the

³ As advised within Paragraph 119 of the Framework.

⁴ As shown on the proposed coverage plot map supplied within appendix CTL 2 of the appellant's statement of case.

⁵ As required by paragraph 122(c) of the Framework.

⁶ As shown in Figure 7 of the appellant's statement of case.

Inspector⁷. This helps to demonstrate the extent to which other sites have been considered and pursued in the search area. With no evidence to indicate otherwise, the appellant's site selection process appears to be robust. Drawing the above points together, I am satisfied that there are no more suitable available sites within the search area.

17. Consequently, it has been demonstrated that the proposal would enable 5G coverage to be rolled out in an area where there is a need for coverage, in addition to a lack of realistic suitable alternative sites. The proposal would therefore improve mobile connectivity for local residents and business users. These matters weigh significantly in favour of the proposal. In this regard, the proposal would comply with the Framework's requirements to support the expansion of electronic communications networks whilst considering alternative sites.
18. The proposal would generate moderate harm to the character and appearance of the area through the siting and design of the proposed mast. Nonetheless, the proposal would have significant benefits in providing 5G coverage in the area, as supported by paragraph 119 of the Framework. Along with the lack of any suitable alternative sites, this would outweigh the harm identified.

Other Matters

19. The Council refers me to 2 previous planning appeals for 20m monopole masts elsewhere within the borough⁸. In both decisions the Inspectors considered that there was inadequate information regarding the site selection process and/or the alternative options that were considered and discounted, sufficient to overcome the harm identified to the character and appearance of the area. The circumstances are not therefore comparable to the proposal before me and the decisions do not affect my findings.

Conditions

20. The GPDO imposes deemed conditions, specifying that the proposal must be carried out in accordance with the application details within 5 years. They also require the infrastructure to be removed when no longer needed and the land restored to its previous condition.
21. Informatives are not added to appeal decisions. The appellant should be aware of these from the Council's evidence.

Conclusion

22. For the reasons given above, the appeal should be allowed and prior approval granted.

M Clowes

INSPECTOR

⁷ Appeal decision references APP/P4225/W/22/3300800 and APP/P4225/W/20/3260406.

⁸ Appeal decision references APP/P4225/W/20/3259908 and APP/P4225/W/20/3260406.