APPLICATION NUMBER: 22/00517/TELE

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/00517/TELE	Rosalind Gralton	11 May 2022

Address: Land To The Rear Of The Bus Stop Between The Southbound Carriageway Of Whitworth Road And Greenbank Road, Rochdale

Proposal: Installation of a 20m high, monopole telecommunications mast to support 12 no. apertures and 2no. dishes with wrap-around cabinet at base and ancillary equipment housed in cabinets at the base of the mast.

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	Y
	Neighbour letters expired?	Y	**Press Notice expired?**	N/A

DELEGATION	**Significant departure from local plan?**	N	**Contrary to national policy?**	N
	Applicant a Council Member or officer?	N	**Contrary to previous decision?**	N
	Major with 10 or more objections and recommending approval?	N	**Called in or Planning Panel objection?**	N

COMMENTS	**Planning Panel comments received?**	N
	Neighbour comments received?	Y

EIA	**Screening opinion completed and saved to Onbase?**	N

CONDITIONS	**Pre-commencement conditions proposed?**	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION	**REFUSE**

CHECKED AND SIGNED OFF BY: EH **DATE: 8 June 2022**

SITE

The application site relates to the land behind the bus shelter on the eastern side of Whitworth Road, at the junction with Greenbank Road. The site is located on the southern corner of Cronkeyshaw Common, and is within an open, partially wooded locality that provides a visual break between built up areas.

PROPOSAL

Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows 'Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of:

a. the installation, alteration or replacement of any electronic communications apparatus;

b. the use of land in an emergency for a period not exceeding 6 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or

c. development ancillary to radio equipment housing.

Before beginning the development described in paragraph A.2(3) of the above Order, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.

Paragraph 8 of A.3 (Prior Approval) states that the development must not begin before the occurrence of one of the following –

a) the receipt by the applicant from the local planning authority of a written notice of their determination that prior approval is not required;

b) where the local planning authority gives the applicant written notice that prior approval is required –

4 the giving of that approval to the applicant, in writing, within a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5);

5 the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, that such approval is given or refused; or

6 the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, of their determination as to whether such prior approval is required.

The submitted application seeks prior approval for the installation of a 20m high monopole accommodating 12 no. apertures and 2no. dishes with wrap-around cabinet at base and ancillary equipment housed in cabinets at the base of the mast. The new equipment would be sited behind the bus stop in a linear position on the edge of the existing grassland

The applicant's supporting statement states that the location has been identified as being necessary for business development, meeting specific technical and operational requirements.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Legislation

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended).

Adopted Rochdale Core Strategy (CS):
SO3 Improving design, image and quality of place
P3 Improving design of new development
DM1 General Development requirements

Unitary Development Plan (UDP):
G8 Greenspace Corridors

Supplementary Planning Documents (SPD):
Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

21/00263/TELE – Installation of a 20m high monopole, electronic communications mast to support 12 no. antenna and 2no. dishes with wrap-around cabinet at base and 9 no. additional radio equipment cabinets to be installed in two blocks at the base of the mast. - Refuse 15/04/2021

The applicant submitted and received a formal pre application enquiry prior to this submission. The comments are summarised below:

The proposed submission of an application for 20m telecommunications mast and associated and ancillary associated equipment would not be supported.

CONSULTATION RESPONSES

Highways and Engineering
The majority of the proposed equipment is outside the adopted highway therefore does not cause any highway obstruction, however we do have some concerns about the proposed monopole and cabinet.

Highways have raised concerns given the existing bus stop is part of TfGM's Quality Bus Corridor network and has been constructed to a high standard to reflect its importance within this network. The monopole and cabinet are directly adjacent to the bus stop reducing the available footway width and creating a pinch point. As a busy bus stop with passengers boarding and alighting pedestrians will congregate in this area and its current design allows enough room to maintain pedestrian flows along the footway of Whitworth Road. The position of the monopole however would restrict those movements and create an obstacle to users especially children going to nearby schools and the less able.

Additionally highways raise the point that in addition the servicing of the substantial amount of telecoms equipment and the expected vehicles and engineers concentrated in the area around this bus stop is likely to interfere with its safe operation.

As such, highways do not support this application.

Env Health - Noise/Odours
No comments received

Schools Service
No objections

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a notice was posted in the vicinity of the site

11 letters were received objecting to the application. 0 letters were received in support of the application. Concerns regarding the application are noted below:

-Research from World Health Organisation state radiation from cellphone towers have potential to be carinogenic to humans with towers causing more danger as a result of greater intensity of radiation
-Reduce property values
-Safety concerns
-Negative impact upon adjacent Cronkeyshaw common
-Negative impact on character of the area
-Negative impact on visual amenity
-Not suitable location
-The application fails to comply with requirements of Paragraph 112 and 116 of the NPPF, and would conflict with policies P1, P3, G6 and DM! of the Rochdale Core Strategy and saved policy G/8 of the UDP.
-Prominent addition to greenspace corridor
-Cabinets would obstruct highway leaving insufficient room for pedestrians
-Insufficient information submitted
-Views would be prominent when travelling along Whitworth Road.
-Significantly larger than existing street furniture

ANALYSIS

Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that development consisting of the installation, alteration or replacement of electronic communications apparatus (other than on a building) is not permitted by Class A(a) if –

5 in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;
6 n the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;
7 in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of— (i) 25 metres above ground level on unprotected

land; or (ii) 20 metres above ground level on article 2(3) land or land which is on a highway; or

8 in the case of the alteration or replacement of a mast, the mast, excluding any antenna, would when altered or replaced— (i) exceed the greater of the height of the existing mast or a height of— (aa) 25 metres above ground level on unprotected land; or (bb) 20 metres above ground level on article 2(3) land or land which is on a highway; or (ii) together with any antenna support structures on the mast, exceed the width of the existing mast and any antenna support structures on it by more than one third, at any given height.

The erection of a pole up to 20m in height on the highway to support electronic communications transmission apparatus with associated street cabinet would be development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 16, Class A.

The application is therefore for a determination whether the prior approval of the Council will be required as to the siting and appearance of the installation, as required under paragraph A.3 of the Order.

Siting and Design

Paragraph 115 of the NPPF requires installations to be kept to a minimum and encourages the reuse of existing electronic communications infrastructure such as existing masts, buildings and other structures. Where new sites are required such as for new 5G networks, equipment should be sympathetically designed and camouflaged where appropriate.

The adopted Rochdale Core Strategy does not contain any policies specific to telecommunications application given that the NPPF contains a clear expression of Government policy that advanced, high quality communications infrastructure is essential for sustainable economic growth and in this respect there is encouragement to local planning authorities to support the expansion of electronic communication networks, including telecommunications. However Policy DM1 states that proposals should be compatible with surrounding land uses and not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy.

In addition, Policy P1 of the adopted Core Strategy will require high quality design in all new developments and Policy P3 requires all new developments, regardless of location in the borough, to adhere to high standards of design, and enhance the borough's identity and sense of place by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. The contents of these policies aligns with the contents of Paragraph 130 of the NPPF which states that planning decision should ensure that new development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping and is sympathetic to local character and history, including the surrounding built environment and landscape setting.

The application site is set behind the existing bus stop on Whitworth Road, on the eastern side of the carriageway. Greenbank Road is located further east, with Rochdale Islamic Academy sited off Greenbank. The area immediately to the south isare characterised by two storey terraced housing, with no front gardens facing straight onto the highway. The greenspace that the application site forms a part, is predominately very open and breaks up the higher density terraced properties, a provides a valuable visual break between built up areas.

Street furniture within the vicinity of the site comprises lighting columns circa 7-8m in height and street trees of a similar height, as well as the existing bus shelter and disused telephone box.

It is considered that the erection of a 20m high, monopole telecommunications mast to support 12 no. apertures and 2no. dishes with wrap-around cabinet at base and ancillary equipment housed in cabinets at the base of the mast would undoubtedly be visually dominant within the low form of the site. Due to its excessive height, and set in a highly visible location on Whitworth Road, the mast would be viewed in isolation when approaching from either direction in addition to the junction with Greenbank Road further south.

The scale of street furniture relative to surrounding buildings is relatively consistent, with surrounding lighting columns and trees broadly reaching the ridge height of surrounding dwellings. As such, the disparate scale of the proposed monopole relative to adjacent street furniture and greenery would only serve to highlight the disproportionate height and scale of the mast rather than integrate it into its surroundings.

In regards the monopole, the proposal has not altered in terms of its scale, design or siting from the application previously refused. The refused application set out that the mast, of 20m height would undoubtedly be highly prominent and clearly stand proud within the existing street scene, where the tallest manmade structure is an 8m high lamppost. The mast would also stand proud of the surrounding trees, which are a maximum of 15m in height. While alterations are now proposed to the layout of the base cabinets this would not alter the overall impact on visual amenity caused by the development. Views of the monopole would be predominantly set against the sky, given the siting in front of an undeveloped area of land, and more significantly, the absence of anything within the surrounding townscape being suitably tall enough to provide a backdrop. Given the unshielded location, with adjacent vegetation barely reaching a third of the way up the mast, in addition to any other structure or building within the surrounding townscape exceeding half the height of the mast, the proposed monopole would comprise a dominant and incongruous feature.

The choice of a grey colour treatment would benefit the scheme and assist in mitigating some of the visual harm identified. However it is not considered that it would adequately disguise the height or mass of the installation of equipment at the site, which is exacerbated due to the uncovered headframe promoting a degree of visual intrigue. The mast would subsequently appear as an alien feature within this conventional residential context. The visual harm of the development would be compounded through the proliferation of cabinets at street level in an unshielded location and impact the user experience of the site, as cluttering an otherwise open public realm.

When considering the acceptability of a proposal at this site it is useful to look at the dismissed appeal decision for application 21/00264/TELE (Appeal ref: APP/P4225/W/21/3279970). Clearly this appeal relates to a different site with different characteristics. However, there are also some clear similarities in the two sites, with them both being located on relatively straight sections of Whitworth Road, separated by a distance of approximately 650m. Both sites are also located within (for this site), or adjacent to (for the appeal site) a Greenspace Corridor.

The dismissed appeal plainly outlined that the 20m height of the mast would appear discordant in views from the adjacent Greenspace Corridor, from which it would be seen as an incongruous utilitarian structure, at odds with natural character. The mast would rise well above the surrounding trees with the harm to views within the Greenspace Corridor exacerbated by the comparatively elevated nature of the

appeal site. The proposal would therefore significantly detract from the visual quality of the area

Ultimately, the proposal would be an incongruous feature set prominently above the surrounding landscape. The irregularity of the form in the context of this residential area would be unduly harmful to the character and appearance of the immediate area, contrary to the requirements of Policies P1 and P3 of the adopted Core Strategy and the National Planning Policy Framework. The Council notes that the application has been submitted under Paragraph A.3 – Prior Approval, and as such the LPA is limited to considering whether prior approval is required for matters only in relation to the siting or appearance of the development and cannot resist the development altogether given the permitted development rights conferred on the code network operators. However, for the reasons listed above, the proposed siting and appearance of the development is not accepted and it is considered that the proposal would result in undue harm.

Living Conditions

Paragraph 130 of the National Planning Policy Framework advises that planning decisions should always seek to secure a high standard of amenity for existing and future users. Policy DM1 of the adopted Core Strategy requires new development to not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy. Further to the above are the considerations of the Councils Supplementary Planning Document (SPD) 'Guidelines and Standards for Residential Development' which states that new developments "should be carefully designed to protect the amenity of the occupants of adjoining properties."

The application site is set within a residential area. Some residential properties on Whitworth Road and on Greenbank Road would look directly onto the application site at a distance of 26m, with those properties further afield having angled views towards, or views from a greater distance. As assessed above, the proposed 20m monopole would form an incongruous and unsightly addition to the street scene a result of its height, scale and appearance. By virtue of its siting and size, the monopole would appear highly prominent when viewed from surrounding properties, specifically 3 to 13 Greenbank Road and 163 to 171 Whitworth Rd (odd nos. only).While the proposal will be visible from these properties, given the distance from the properties' front windows, it will not directly harm neighbouring amenity, and therefore would be acceptable in relation to residential amenity.

Other Matters – Site Selection

The application sets out the need for an expansion of infrastructure as necessary for business development and meeting specific technical and operational requirements.

The application includes a Site Specific Supplementary Information, which details the site selection process providing details of alternative sites considered for development. The assessment sets out various reasons which discount the possibility of siting the monopole at each of the alternative sites, with some sites physically constrained i.e. a lack of available space or underground utility infrastructure not being compatible with the proposed installation, with other sites discounted planning reasons relating to the visual impact of the mast.

No further information has been provided to conclusively determine that the application site, and the 11 alternative sites are the only viable sites to fulfil the needs of the operator within this undefined search area. Under Appeal ref. APP/P4225/W/20/3259908, the Inspector stated that the evidence provided in a

directly comparable assessment was “less than compelling,” and that the applicant had failed to “robustly demonstrate that a satisfactory level of coverage could not be achieved in another location where a 20m mast would not have such an adverse visual impact.” As this application demonstrates similar shortcomings in its assessment of alternative sites due to its imprecise nature, it would not possible to definitively conclude that there are no more suitable sites reasonably available that would result in a lesser degree of visual harm

Highways matters

Paragraph 111 of the NPPF states *‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’*

Policy T2 of the Rochdale Core Strategy relates to Improving Accessibility. The wording of which includes *‘In all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority’*

Highways have raised concerns given the existing bus stop is part of TfGM’s Quality Bus Corridor network and has been constructed to a high standard to reflect its importance within this network. The monopole and cabinet are directly adjacent to the bus stop reducing the available footway width and creating a pinch point. As a busy bus stop with passengers boarding and alighting pedestrians will congregate in this area and its current design allows enough room to maintain pedestrian flows along the footway of Whitworth Road. The position of the monopole however would restrict those movements and create an obstacle to users especially children going to nearby schools and the less able.

Additionally highways raise the point that in addition the servicing of the substantial amount of telecoms equipment and the expected vehicles and engineers concentrated in the area around this bus stop is likely to interfere with its safe operation.

Given the information above and the wording within Paragraph 111 of the NPPF, in addition to Policy T2, proposal would lead to a significant detrimental impact on highways safety and capacity and therefore does not accord with policies T2 and DM1 of the Core Strategy and the National Planning Policy Framework.

Other Considerations

No concerns are had in respect of the proposed development unduly overshadowing, or being overbearing towards, surrounding occupiers and would not result in a loss of privacy or have any unacceptable noise disturbance impacts. The developer has provided a declaration of compliance with ICNIRP Public Exposure Guidelines, certifying that the development has been designed to accord with the requirements of Radio Frequency public exposure. Whilst not resulting in harm, such considerations are considered to weigh neutrally in the overall balance of the application. Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. Paragraph 40 goes on to state Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer.

A formal pre application advice letter was sent to the applicant on 8th February 2021, as identified by the applicant within the application form. The applicant as stated local Councillors for the ward were contacted via email prior to submission of the application.

RECOMMENDATION

1. By virtue of its height, siting and appearance, the proposed 20 metre high monopole would constitute a significantly incongruous and dominant feature of the street scene, within an existing greenspace corridor, where existing street furniture and tree cover is significantly smaller in scale. Views of the development would be prominent when travelling along Whitworth Road and from the surrounding area, with the mast and its associate infrastructure significantly compromising the views of the greenspace corridor. The development would therefore result in unacceptable harm to the street scene and visual amenity and be contrary to policies P1, P3 and DM1 of the adopted Rochdale Core Strategy, saved Rochdale Unitary Development Plan policy G/8 and the National Planning Policy Framework.

2. The proposed siting and size of the mast and ancillary equipment would reduce the available footpath width in the proximity of a busy bus stop, compromising pedestrian flow along the footway. This would result in significant safety concerns to bus users and pedestrians within the area, and therefore does not accord with policies T2 and DM1 of the Core Strategy and the National Planning Policy Framework.

Procedure Statement

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application.

Report Author Rosalind Gralton