



WRITTEN STATEMENT OF CASE

On behalf of Cornerstone

Appeal against the refusal by Rochdale Metropolitan Borough Council for the erection of a radio base station comprising the installation of 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.

Footway adjacent to Hollin Lane Bus Stop, Hollin Lane, Top Of Hebers, Middleton, M24 5LE, NGR E: 386550 N: 407557

LPA REF: 24/00229/TELE

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1.0 INTRODUCTION

1.1 This statement considers the refusal of prior approval by Rochdale Metropolitan Borough Council for 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 on the adopted footway adjacent to Hollin Lane Bus Stop, Hollin Lane, Middleton, M24 5LE on behalf of Cornerstone. The compliance of the proposed development with the development plan and national planning guidance will be assessed together with any other material considerations.

1.2 The application for prior approval of the siting and appearance of a telecommunications mast, equipment cabinets and ancillary development was determined under delegated powers on 25 April 2024. The application was refused for the following reason (see Appendix CTL 1 for the decision notice):

1. *'By virtue of its height, siting and appearance, the proposed development would constitute a significantly incongruous and dominant feature within the street scene, amplified by the siting of additional unsightly equipment cabins in a prominent, unshielded location. Furthermore, no thorough justified information in relation to alternative ground or rooftop based sites has been provided as part of this proposal, required under paragraph 117 of the National Planning Policy Framework. The development would therefore result in unacceptable harm to character of the site and be contrary to policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework'.*

1.3 This statement will demonstrate that:

- i) The proposed scheme fully accords with all relevant provisions of the statutory development plan and the National Planning Policy Framework;
- ii) The site was previously an established location for the operator whereby there was previously a telecommunications monopole located in this location. The site was only removed to consolidate the number of masts in the area but due to technology increases and demand there is now a requirement to re-instate the monopole.
- iii) The application the subject of this appeal was for a prior approval determination for a new radio base station where 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 prior to beginning the development, as set out in paragraph A.2 (3) of Schedule 2 of Part 16 of the GPDO 2015 (as amended). Hence, the prior approval application was not an application for planning permission. Prior approval is deliberately designed to be a light-touch process which applies where the principle of development has already been established;

- iv) The appeal proposals in terms of their, height, siting and appearance would not constitute a significantly incongruous and dominant feature within the streetscene to the detriment of visual amenity. The appeal proposals would respect the context of the appeal site and the character of the surrounding area. As such, the appeal proposals would not have a detrimental effect on the visual amenity of the locality and the character and appearance of the streetscene, given its careful siting, set back from the road edge in alignment with a bus shelter and other similar designed vertical structures including lighting columns.
- v) The appeal proposals are not inappropriately sited and conform fully with the requirements of the NPPF. The two equipment cabinets are the smallest possible to house all the required technologies and provide the latest mobile technologies to this part of Middleton. Each cabinet is less than 2.5m³ and thus are considered so inconsequential they are permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Part 16 of Schedule 2, Class A.2 (3) (iii) (bb). They have a similar appearance to other statutory undertakers equipment cabinets within the immediate streetscene.
- vi) It is not feasible to upgrade and share the existing telecommunications radio base station to enable multiple operators to utilise the same structure at the established telecommunications site to the south west, as it is not physically capable of supporting both operators multi technologies of 4G and 5G.
- vii) The proposed top height of the mast at 20m is the lowest possible that will enable the operator to provide equivalent 2G, 3G, enhanced 4G coverage to the surrounding area and enable new 5G to be rolled out in this cell area without detrimentally affecting coverage. The Council has not taken sufficient consideration of the technical constraints of the operator, the careful design of the column which is the only design available to the operator that will provide all legacy technologies as well as the latest 5G superfast connectivity to the area. The Council has not considered that this is an essential item of infrastructure which has to carry out a specific task. It is inappropriate to compare height of the proposed pole to the height of surrounding vertical structures as each is required to be a certain height to operate in the way it is required to provide the service. Comparing the height of the mast with lighting columns is no more

relevant than comparing street lights with traffic lights the former often being taller than the latter. Each is designed to do a specific job. The existing vertical features in the streetscene merely help the installation to assimilate with the environment in which they are located. The design of the proposal subject of this appeal is a functional, vertical, simple structure like the other vertical structures in the vicinity;

- viii) The appeal proposal will support economic growth, limit visual harm and is the best option to meet the ever increasing demand for improved mobile communications coverage in the local area. This will outweigh the perceived harm to the surrounding area;
- ix) The Council has not carried out a full balancing exercise taking all material considerations into account including the significant social and economic benefits of the proposal, nor has it fully taken into account the operator's technical constraints, or the legal requirements to provide a high-quality service and meet the customers' reasonable demands including access to the latest mobile communications technologies. Similarly, the LPA has not thoroughly taken account of the Greater Manchester Strategy, Infrastructure Framework, Digital Blueprint, Local Industrial Strategy and the Places for Everyone Joint Development Plan which fully support developing and improving infrastructure to promote connectivity and mobility including bringing forward access to the latest superfast mobile broadband technology to support the needs of business and residents. These benefits are strong material considerations which outweigh any perceived harm to the character and appearance of the surrounding area;
- x) Access to the latest superfast mobile technology in the form of 5G coverage is a strong material consideration in the determination of this proposed telecommunications installation.
- xi) There are no more suitable, available sites within the operator's cell search area, in contrast to the local planning authorities assessment which concludes there is no thorough justification for why alternative ground or rooftop based sites haven't been provided as part of the proposal.
- xii) The appeal proposals will not cause any demonstrable harm to any interest of acknowledged importance, and as such prior approval should be allowed.

2.0 SITE AND SURROUNDINGS

- 2.1** The current land use of the site is an adopted footway on Hollin Lane adjacent to a bus stop with associated shelter. The site is located on the eastern side of Hollin Lane opposite the junction of Langley Lane. The proposed column and equipment cabinets are to be positioned immediately north of the existing bus shelter. To the east, beyond the footway, is a backdrop of palisade fencing, bushes and semi-mature trees which rise to a height of some 13m. To the south beyond the bus shelter is a public house, the Gardener's Arms, with an associated beer garden and car park.
- 2.2** Immediately west of the site is a bus stop layby on Hollin Lane (A6046) and across the road, a single storey flat roofed commercial/office building. To the north west, at the junction with Langley Lane is a small parade of shops with residential flats above. Further west along Langley Lane are residential properties, all of which are angled 90 degrees away from the site.
- 2.3** Immediately north of the site, is a row of two storey mews dwellings. The nearest property is 266 Hollin Lane, which has a blank gable end facing the proposed installation. The main orientation of the mews is angled 90 degrees away from the site with no habitable room windows facing the appeal site.
- 2.4** The appellant has carefully chosen this site, where there was previously an established telecommunications monopole located in this exact location for the operator Telefonica UK Limited as shown on the historical view from Google Streetview from 2008. Details relating to this previous monopole and the reasons for its removal will be explained later in this appeal statement.



Image 1: Previous 12.5m monopole for Telefonica on Hollin Lane (Source: Googlemaps.com)

2.5 The streetscene is punctuated with a number of linear and utilitarian structures including lighting columns, telegraph poles, bus shelter, bollards, road signage, post box, other statutory operators' equipment cabinets, metal pedestrian safety barriers, traffic lights, telephone box, large advertising hoarding, pedestrian refuge island, palisade fencing, trees and bushes.

3.0 PLANNING BACKGROUND AND HISTORY

Background

- 3.1** Cornerstone and Virgin Media O2 (VMO2), known as O2 in the UK, are in the process of progressing a suitable replacement site in the Top of Hebers area for a radio base station capable of providing their latest 4G and new 5G technologies. The existing Cornerstone and Vodafone site on land at 157-171 Windermere Road (see image 2 below) that is currently being utilised by VMO2 will remain in place for Vodafone only, whilst VMO2 finds another site to provide their latest replacement and new service provision.



Image 2: Existing site location at 157-177 Windermere Road

- 3.2** As part of Cornerstone's continued network improvement program, there is a specific requirement for a new installation at this location to maintain 2G, 3G coverage and capacity, improve 4G and provide new 5G coverage and capacity, ensuring that this area of Top of Hebers, to the west area of Middleton has access to the latest technologies. This follows the inability, from a structural perspective, to upgrade the existing site VMO2 is utilising some 374m south west of the proposed location, to the rear of 157-171 Windermere Road.
- 3.3** There is also a requirement to improve coverage speed and network capacity in this area due to increased traffic experienced by the operators, which is leading to dropped calls and buffering. Some of this increased traffic and network demand is coming from the recently developed residential development to the south of the existing site in and around the Drummer Way, Fusilier Close, Rigby Way areas.
- 3.4** Cornerstone requires new 5G coverage to be installed into its network in this cell area to meet

the ever increasing demands for high quality mobile communications. However, the existing installation 157-171 Windermere Road is not designed to be able to support both operators (Vodafone and VMO2's 5G antennas) without being radically redesigned and replaced with a much bulkier and bigger structure which would have a much greater impact on the visual amenity of the nearby occupants of residential properties and take up significantly more space in this location.

- 3.5** The existing radio base station location would need to accommodate a much larger, bulkier mast to structurally support multiple operators 5G equipment. It is not structurally feasible for the replacement mast to have a slimline, streetworks style design and would therefore need to be protected via a secure fenced compound with a demise of some 10m x 10m to accommodate the mast's foundation. The design of the replacement structure would have to be in the form of a more traditional monopole with large bulky headframe or lattice tower in order to obtain antenna separation distance requirements and a robust enough mast to structurally support all the operators' equipment. Examples of both structures are shown in figures 1 and 2 below.

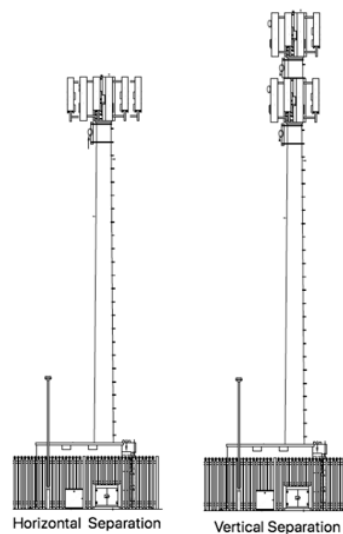


Figure 1 Example of a monopole design incorporating antenna separations between operators



Figure 2 Example of a shared lattice tower next to the road.

- 3.6** These two structures would have a much greater impact on the visual amenity of the area than the appeal proposal. They are more akin to locations which are not located within residential areas. Therefore, VMO2 is looking to provide and extend its coverage at this location with a new radio base station, to upgrade its 4G technologies and provide a new 5G service in this area of Top of Hebers.
- 3.7** The operator is limited in siting options as there is a requirement to provide equivalent replacement coverage and capacity for this largely residential area, currently without 5G coverage and lacking sufficient 4G capacity. The replacement of coverage currently provided by the site 157-171 Windermere Road means that the operator has to be located as close as possible to the existing installation in order to maintain the provision of equivalent coverage and capacity to the surrounding local area and fit into the Operator's network of sites in the wider area. The proposed location subject of this appeal is some 374m north east of the existing radio base station. This is the nearest suitable location that the operator is able to position their replacement apparatus, largely due to the lack of suitable buildings, narrow footways, lack of space, large trees which will block coverage to the target area, and other potential sites being surrounded and directly overlooked by residential properties in all directions with no screening.

- 3.8** 3G (and eventually 2G) is being switched off by the operators in order to repurpose these radio frequencies for faster more energy-efficient 4G and 5G services. 3G is primarily used for mobile data services. It is being switched off first because it has already largely been superseded by 4G. Hence the importance of providing the latest 4G and new 5G service provision in areas where there is no such coverage. 3G has already been switched off by Vodafone and EE in early 2024, and VMO2 is planning to do the same. Whilst no firm timescales have been announced as to when this will happen, it is expected to occur by 2025. As a result, it is imperative that the operator builds resilience into the network.
- 3.9** Cornerstone is the UK's leading mobile infrastructure services company. They acquire, manage and own over 20,000 sites and are committed to enabling best in class mobile connectivity for over half of all the country's mobile customers. They oversee works on behalf of telecommunications providers and wherever possible aim to: promote shared infrastructure, maximise opportunities to consolidate the number of base stations and significantly reduce the environmental impact of network development. Whilst it is the case that Cornerstone remains committed to the promotion of shared infrastructure for 2G, 3G and 4G coverage, this can no longer be the case with all sites for the provision of 5G service due to the additional equipment requirements and the structural capacity of streetworks style masts.
- 3.10** Mobile connectivity and service is required where customers live, work and play. 5G coverage and superfast mobile broadband data capacity demand will continue to increase exponentially with the introduction of IoT (Internet of Things), machine to machine connectivity, automated transport/industry and other 'smart' applications. To this end, the existing shared infrastructure within the built environment has had to be reviewed and adapted as appropriate.
- 3.11** In those instances where greenfield structures and rooftop installations are currently in place, in the vast majority of cases, these will remain shared base stations. These shared base stations allow for separate antennas on supporting structures that are capable of accommodating the weight, wind loading and technological requirements associated with providing multi advanced technologies including the latest 5G service provision for two separate operators from a single shared location, albeit sometimes via redevelopment of the existing base station.
- 3.12** However, to address some site specific coverage and data capacity demand, the 5G equipment upon streetworks style base station structures cannot be shared by both operators. This is due to variations in the make-up of the independent Vodafone and VMO2 networks and the structural capacity of the streetworks style poles. As noted, most infrastructure should be capable of sharing, however, the slimline street furniture style base

stations that is subject of this appeal are not capable of accommodating all of the equipment that is required to meet the site specific demand of both operators and customers for this area from a single street furniture pole. To this end, many existing shared streetworks installations are being removed from the 'single grid' with the necessity for additional new street furniture base stations accommodating the technological requirements of a single operator – either Vodafone or VMO2.

- 3.13** Given the maturity of the two independent networks, and the single grid consolidation over the last few years, any new street furniture base station needs to be located in close proximity to the existing site – thereby retaining customer coverage and experience within a previously shared 'cell'. The new pole will accommodate all the technologies for the single operator and the 'cell' will benefit from improved service provision from both operators, including the introduction of 5G service to the area. It is considered that a secondary, more slimline, streetworks style pole at a location that has previously accommodated communications equipment of a similar design, is a more appropriate and sensitive solution to 5G service provision in this primarily residential area.
- 3.14** The enclosed coverage plots (see Appendix CTL 2) indicate the existing and proposed coverage for 5G technology within the target coverage area. The replacement site is designed to replicate the existing service provision for 2G, 3G and 4G in this cell area whilst at the same time providing new 5G coverage and capacity. The plots illustrate specifically the 5G service provision that will be provided by this replacement site. However, the operators are looking to use the coverage footprint of existing sites as a guide for providing 5G services in each cell. Thus, they are indicative that where 5G coverage is provided from this location then the 2G, 3G and 4G service provision will be similarly shown.
- 3.15** As can be seen from the coverage plots, existing 5G coverage is non-existent in and around Top of Hebers, depicted by the lack of colouring on the map. The proposed installation would provide high quality, reliable, advanced indoor 5G coverage in this area of Top of Hebers, illustrated by the red colouring which indicates urban indoor coverage, the green colouring shows suburban indoor coverage. This would provide significant social and economic benefit to the residents and businesses in the wider area, in line with Government policy to provide high quality communications services across the UK.
- 3.16** The appeal site will therefore meet the demand for high quality, advanced, reliable 5G service provision around Top of Hebers including the densely populated urban area south east / east of the site towards Hollins and Stanycliffe, west of the site in Langley and north along the A6046.

- 3.17** The coverage plots cannot illustrate the uplift in user capacity of the site which the surrounding sites in the network cannot fill. The term ‘Capacity’ refers to the fact that each base station can only provide service to a certain number of users at any one time. When this ‘Capacity’ is exceeded, although ‘Coverage’ remains present, the base station cannot provide service to any additional users and calls/text/data usage in the area would become unavailable.
- 3.18** 5G service provision is not just about coverage, it is about capacity through the many layers of technology the operator provides to their customers to deliver a better quality experience, greater data speed upload and download, as opposed to waiting for a file to download or a map to get from A to B (on the network) due to congestion.
- 3.19** The operators’ license obligations requires them to meet customers “reasonable demand”. Reasonable demand would be to provide the latest technologies including 5G as customers expect to be able to use their smart 5G enabled devices wherever they are located whether that is indoors or outside. The operators also have a market driven “requirement” to provide a high quality service as well as a license obligation to provide indoor 2G/3G/4G and 5G services.
- 3.20** Without this proposed installation, the opportunity to provide the latest high-quality communications infrastructure (which the Government acknowledges as being essential for sustainable economic growth) to this area will be lost. The ability to develop high speed telecommunications networks and expand these networks, which is known to play a vital role in enhancing the provision of local community facilities and services, will also be lost. Therefore, without the proposed development subject of this appeal, Top of Hebers will fall behind the rest of the Greater Manchester area where 5G installations have been approved as well as other parts of the country and will not encourage economic growth, but instead detrimentally reduce the community facilities and services available in the area. This is contrary to Government aspirations for the UK to be a world leader in 5G and for communities to benefit from the investments in the new technology. The Government places significant importance on 5G and advanced, reliable, high quality 5G technology. It will also be contrary to the aspirations of Greater Manchester city-region to ‘*upgrade, integrate and future-proof its infrastructure, to create a 21st century city-region with extreme digital connectivity*’ (Greater Manchester Local Industrial Strategy).
- 3.21** There are only four UK mobile networks: VMO2, Vodafone, EE and Three. All the other providers piggyback i.e. buy space from one of these four networks e.g. Giffgaff, Tesco Mobile, and Sky Mobile are on the VMO2 network. If the parent network does not have coverage (or capacity) then neither will the Mobile Virtual Network Operator’s (MVNO) that borrows network

space from the parent network. Therefore, this does not provide the consumer with a full choice for their service provision.

3.22 The inability to deploy the equipment subject of this appeal will also be anti – competitive as VMO2 will not be able to provide a 5G service in this area which is contrary to NPPF which states that local planning authorities should not seek to prevent competition between different operators. If a new base station site is not allowed for this operator at a technically suitable and available site then VMO2's customers will be limited to using other service providers of EE, Three and Vodafone. They will also not have the full range of Mobile Virtual Network Operator's (MVNO) available to them.

3.23 With the advent of smartphones, the demand for 4G and 5G coverage is increasing and therefore the network providers are obliged to improve their network coverage to their customers, in line with their license obligations. This significant lack of 5G coverage is clearly shown on the coverage plots. A copy of these coverage plots is enclosed at Appendix CTL 2.

3.24 Given the huge social and economic benefits of connectivity, providing 'advanced, high quality and reliable communications infrastructure' is a key Government priority, set out in the NPPF, the Joint Department for Culture, Media and Sport (DCMS) and Ministry of Housing, Communities and Local Government (MHCLG) statement, Department for Business, Energy and Industrial Strategy 'Building a Britain Fit for the Future' Ofcom Infrastructure reports 2016-2022, National Infrastructure Delivery Plan 2016-2021, DCMS' 'Digital Connectivity Portal' and the UK Wireless Infrastructure Strategy. The former DCMS and MHCLG departments have called upon Local Authorities in their role as landowner, policy and decision maker to work collaboratively with the digital communications industry to minimise barriers to deployment and the delivery of the essential infrastructure which provides the reliable mobile digital connectivity which underpins Government aspirations.

3.25 DCMS "Digital Connectivity" states:

"Digital connectivity is – now, more than ever – vital to enable people to stay connected and businesses to grow. The demand for mobile data is increasing rapidly, and the COVID-19 pandemic has highlighted how important it is that we all have access to reliable, high quality mobile connectivity.

The Government is committed to extending mobile network coverage across the UK and providing uninterrupted mobile signal on all major roads, and our ambition is for the majority of the population to have access to a 5G signal by 2027".

3.26 Section 10 of the NPPF relates to ‘Supporting high quality communications’ and states:

“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...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 over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution)”.

3.27 BEIS Industrial Strategy – Building a Britain fit for the Future 2017 states:

“Over the course of 2016, the UK took another step forward in the coverage of its fixed and mobile communications. More people are, or can be, connected to the communications they need, and they are consuming more data as fixed and mobile services become increasingly woven into the fabric of their daily lives and work”.

3.28 In April 2024 there was an interim Connected Nations Report based on mobile coverage in the UK as of January 2024. Within the summary of findings it notes 5G coverage has remained steady over the last 4 months (from when the initial report was prepared) around 92% of premises are able to get 5G coverage outdoors.

3.29 The current Ofcom Connected Nations 2023 Report (first published December 2019) measures progress in broadband and mobile services in the UK and highlights the work Ofcom is doing, alongside UK and devolved governments and communications companies, to improve the availability of these services. Ofcom aspires for people in the UK to be able to easily access good broadband and mobile connections wherever they live, work and travel (See Appendix CTL 3 for extracts).

3.30 The report notes that over the last few years, the availability and take up of superfast and ultrafast broadband and the coverage and take-up of 5G mobile services have dramatically increased. The UK holds a leading position on current 5G mobile network coverage compared with other large European countries. It highlights that this demonstrates that policy and regulatory decisions made in the past few years have supported investment in new networks and technology and delivered a good outcome for consumers.

3.31 The Report goes on to state in the Overview that:

‘5G traffic has shown around 140% growth, rising from 63 PB in 2022 to 151 PB in 2023. This data traffic was generated from devices, of which at least 43% are 5G

capable handsets (up from around 20% in 2022). Traffic on 5G capable handsets represents around 17% of total mobile traffic, up from around 9% in 2022.'

- 3.32** Connected Nations is an annual report on progress in the availability of broadband and mobile services in the UK, including the roll out of mobile 5G networks. The 2023 report was published in December 2023. These reports support Ofcom's objective of making communications work for everyone, including to promote reliable, widely available, and high-quality networks. The latest report found that the availability of 5G services is growing rapidly. The level of 5G coverage provided outside of premises by at least one mobile network operator (MNO) rose from 67-78% in 2022 to 85-93% in 2023. As of September 2023, there were more than 18,500 5G deployments in place across sites in the UK up from around 12,000 5G deployments reported in 2022.
- 3.33** The 2023 Connection Nations Report also found there has been fast paced growth in 5G capable devices and traffic with 5G traffic showing a growth of around 140% from 2022 to 2023. This data traffic was generated from devices, of which at least 43% are 5G capable handsets (up from around 20% in 2022). Traffic on 5G capable handsets represents around 17% of total mobile traffic, up from around 9% in 2022.
- 3.34** The Report notes that the MNOs have started to switch off their 3G networks. The number of customers using devices reliant on 2G and 3G connectivity has fallen sharply, from approximately 5.5 million reported last year to 2.4 million this year, of which just over half a million are residential customers with a 3G device. Less than 3% of all data traffic is now carried on 3G networks, with 3G data traffic having decreased by an average of 44% year on year. This emphasises the importance of building a resilient network with the latest 4G and new 5G service provision. Otherwise, this cell area will fall behind others and dropped calls and buffering will become more prevalent.
- 3.35** The key 2020 report notes 60% of the consumer market consider Smartphones are now the most important device for internet access.
- 3.36** In September 2019, 81% of all measured time spent online was on a mobile device (both tablet and Smartphone).
- 3.37** Figure 3 below indicates the most-missed device among adults: 2014-2019 were it be taken away from them. As can be seen, nearly half of all adults say that their mobile device is the device they would miss most were it taken away from them.

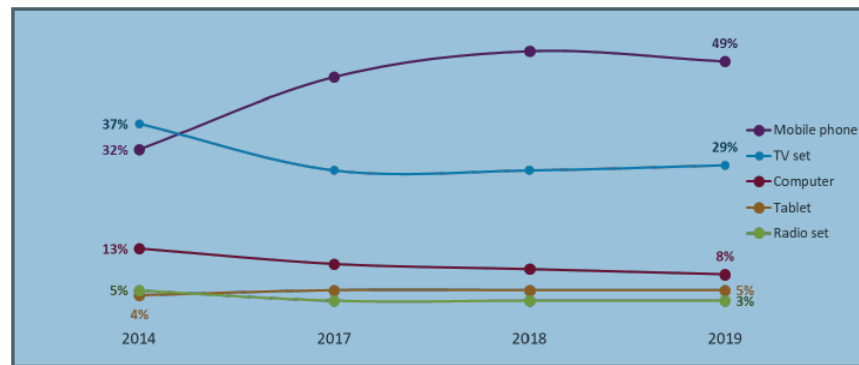


Figure 3 - Most-missed device among adults. Ofcom Adults' Media Literacy Tracker 2014-2019

- 3.38** As highlighted in the Connected Nations England 2023 Report the 2G and 3G coverage networks are planned to be switched off by all Mobile Network Operators (MNOs) by 2033 at the latest. 2G and 3G services launched in the 1990s and 2000s respectively and running these networks alongside newer 4G and 5G services involves increased operating costs, as well as a less efficient use of spectrum and energy. Moving away from these older technologies will improve network efficiency and enable more spectrum to be used for 4G and 5G services. The MNOs are developing plans to switch off their 3G networks first, in line with Government guidelines, with each MNO setting its own timetable. As such, it is imperative that the MNO's make provision for this switch off to ensure that customers are not unduly affected, by upgrading their existing sites for the latest 4G and 5G coverage and providing new radio base stations where appropriate for such service provision.
- 3.39** The Connected Nations Report 2023 also contains an interactive map which shows mobile coverage for the local authorities throughout the UK. Figure 4 below shows the coverage of landmass, premises and roads by mobile networks for voice, data and 5G (in Rochdale) with a Very High Confidence. The line chart below shows coverage over time since May 2022 in Rochdale.

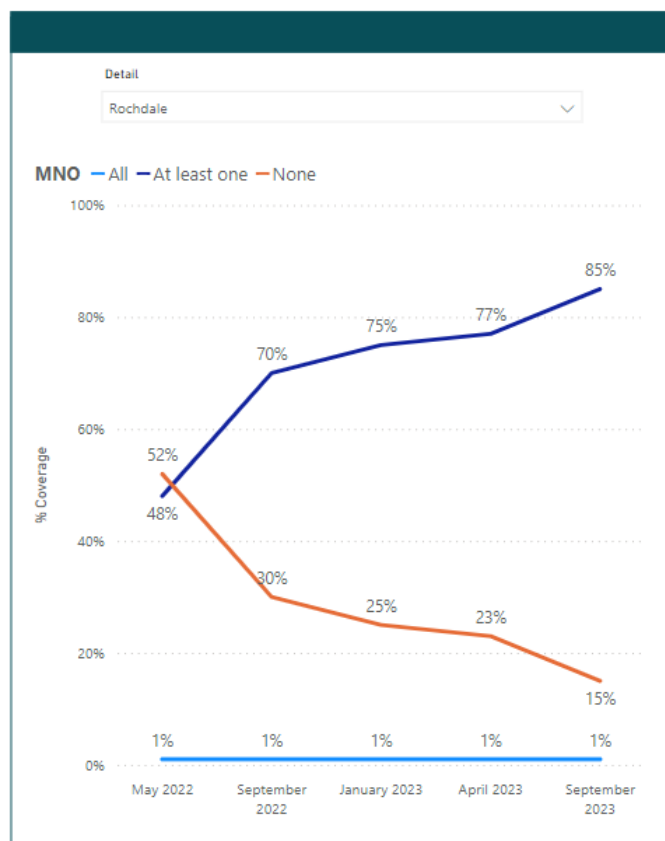
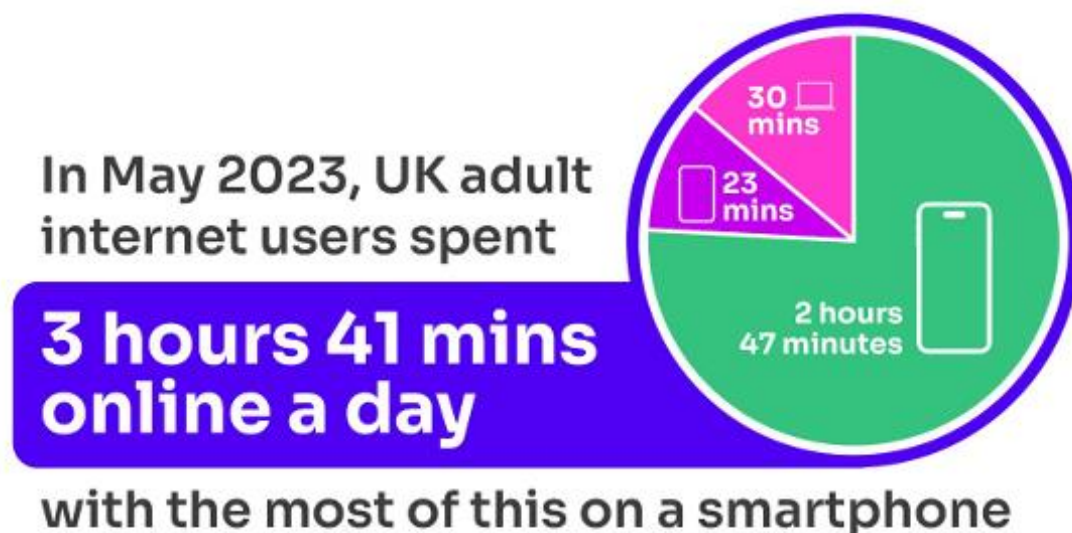


Figure 4 indicating the 5G (Very High Confidence) geographic coverage for mobile networks between May 2022 and September 2023 in Rochdale.

- 3.40** As can be seen from Figure 4 above, there is 85% of 5G geographic coverage for at least one of the four main operators in Rochdale. However, this drops down to 1% for all operators and 15% of Rochdale has no 5G coverage at a Very High Confidence level. This has significantly dropped in the last year by 37%. The appeal site would help reduce this gap in 5G coverage to this area of Rochdale.
- 3.41** The Online Nation 2023 report (November 2023) (see Appendix CTL 4 for extracts) sets out an overview of the UK online landscape in 2023, exploring both children's and adults' use of and experiences on online services. For most people in the UK, being online is a major part of daily life. Being online allows people to connect with others, sometimes in ways they may not be able to do offline. Data shows how we benefit from a range of online services, from messaging and calling platforms to gaming platforms, online news outlets and online shopping.
- 3.42** The 2023 report found that three quarters of the time spent online per day in May 2023 by adults was on smartphones. See Figure 5 below.



Source: Ipsos, Ipsos iris Online Audience Measurement Service, May 2023, age: 18+, UK. Note: Custom data supplied by Ipsos. See [Communications Market Report 2023: Online interactive data](#) for comparison to May 2022 data.

Figure 5 above reproduced from Online Nations 2023 Report

- 3.43** In May 2023, 76% of the time spent online per day by UK online adults was on a smartphone. Up from 69% in May 2022. Time spent on computers and tablets declined, with UK adults spending 30 minutes on computers (down from 38 minutes) and 23 minutes (down from 28 minutes) on tablets per day in May 2023. The 25-34 year olds spent the largest proportion of the online time on smartphones (87%).
- 3.44** Alphabet, which owns Google and YouTube, remains the organisation whose sites and apps are most visited by UK adults, followed by Meta (owner of Facebook, Whatsapp and Instagram) and Amazon. Alphabet and Meta-owned sites and apps have near-universal use among UK online adults, and the Amazon-owned website or apps were visited by at least 88% of online adults in all four UK nations in May 2023.
- 3.45** Adults used an average of 36 apps on smartphones in May 2023 rising from 33 in May 2022. The Online Nations Report 2023 found that the UK adult internet user spent on average 3 hours 41 minutes online per day in May 2023, 8 minutes more than in the same period last year.
- 3.46** 23% of internet users aged 16+ said that they had used a Generative AI tool. Generative artificial intelligence (Generative AI) broadly refers to algorithms that can create new content in responding to a prompt, including text, images, video and code outputs. ChatGPT is the most widely used service. Snapchat My AI is the generative AI tool most widely used by children online.

- 3.47** The report found that 71% of adult internet users agreed that for them personally the benefits of being online outweighed the risks. Nearly half of 13-17s think that being online is good for their mental health. Children and their parents tend to agree that being online provides children with opportunities and benefits. Going online can help with schoolwork/homework (81% children, 84% parents), building or maintaining friendships (68% children, 65% parents), and finding useful information about personal issues (60% children, 50% parents). 48% of teenagers agree that being online has a positive effect on their mental health.
- 3.48** The Meta owned WhatsApp, Facebook and Facebook Messenger were the top three smartphone apps by UK online adult reach in May 2023. 89% of UK online smartphone users visited the Whatsapp in May 2023, maintaining its status as the 'go-to' communication app. Followed by Facebook app with 81% reach and Facebook Messenger at 72%. Google Maps was the 4th most popular smartphone app with a reach of 70% of adults, followed by You Tube at 67%. Amazon was found to be the most popular online shopping app.
- 3.49** YouTube and WhatsApp were the highest-reaching smartphone apps for online children aged 8-12. 38% of UK adults aged 16+ play game online, as do 57% of UK children aged 3-15.
- 3.50** The report found that a test pilot study of online 8-12 year olds indicated that seven in ten online children aged 8-12 visited an educational service. The most popular being Times Tables Rockstars.
- 3.51** The operator not only has a license requirement to provide a certain level of 2G/3G/4G coverage to the population the appellant is obliged to meet the growing consumer demand for 5G coverage, especially as more people are purchasing 5G enabled devices, in line with their license obligations and the operators competitive market driven "requirement" to provide a high quality service. Customers expect to be able to access their portable hand held devices wherever they are, whether that be indoors or outside. There is currently no 5G service provision that is provided by VMO2 in this cell area. This gap can only be filled by providing a new installation within this locality, so that it can link up with the next cell and provide contiguous coverage for the appellant's network and those MVNOs who buy network space off them.

Technical Justification

- 3.52** A mobile phone transmitter is designed to cover a specific area and links its coverage to the next site in the network, creating a patchwork of overlapping coverage 'cells' across the country. So, if a person is on the move, the network will transfer their calls from one site to the next. However, in certain areas there will be gaps between these cells, resulting in a loss of

coverage. This can be for a variety of reasons, the most common being topography or buildings which block the path of the signal. The operators' network rollout programme is designed to identify and address these gaps within their coverage and ensure that people can use their phones whenever and wherever they are.

- 3.53** There is a specific requirement for a new radio base station at this location to allow VMO2 to provide the latest 4G service provision and new 5G coverage and capacity to this area of Top of Hebers, as well as replacement 2G and 3G service provision.
- 3.54** The need for indoor 5G as well as 4G coverage is becoming ever more necessary and significant especially with the growth in the smartphone take-up which has significantly altered consumer use of mobile data services, and the switching off of the 3G network by the operators in order to repurpose the radio frequencies to faster more energy-efficient 4G and 5G services. Mobile phone connectivity is becoming increasingly important as more people use mobile devices to carry out everyday tasks such as banking, entertainment and keeping in touch with friends and relatives. There are significant economic benefits to having usable and reliable mobile coverage, keeping in touch on the move and allowing machines to share real time information. It is essential that the UK has the mobile connectivity to allow people and 'things' to connect reliably where they are located.
- 3.55** An installation located outside of this search area would not allow the operator to provide their desired level of new 5G coverage, enhanced 4G service provision or replacement 2G and 3G coverage and therefore would not adequately fill the current 5G coverage gap. Continuous coverage is also required in order to ensure that calls are not 'dropped' within the operators target coverage area.
- 3.56** It is extremely important to remember that due to the physics of radio frequency, each base station can only provide service to a limited geographic area, and this is reduced further by topography and population density, amongst other things such as 'clutter' which is a technical term referring to near or distant line of sight obstruction or 'clutter' between the base station and the areas it is trying to provide service to. This 'clutter' can take the form of high trees or buildings in the wider area which obstruct the signal and severely disrupt the service or make a base station redundant entirely.
- 3.57** The fact is, these base stations are required where the service is required, where there is a population who demand service provision, placing an installation a distance away from a population means the installation cannot provide the service to where it is needed.

Relevant Planning History

- 3.58** A formal pre-application consultation letter and set of plans was originally issued on 13th February 2024 to the Planning Department informing them of a requirement to erect a new 20m radio base station at the appeal location in order to provide the latest 4G service provision and new 5G coverage to this part of the borough. Enclosed with the letter were a set of plans detailing the proposed scheme. No specific response was received from the LPA.
- 3.59** At the same time, an initial community consultation exercise was undertaken with the local ward councillors for Hopwood (Cllr Carol Wardle, Cllr Peter Hodgkinson and Cllr Susan Emmott), the then Heywood and Middleton MP Chris Clarkson, Headteacher and Chair of Governors for St Anne's Academy on 13th February 2024 which included a consultation letter and set of proposed plans, however no responses were received prior to submission of application ref: 24/00229/TELE.
- 3.60** As previously mentioned, the appeal site has previously accommodated a streetworks style communications site. Back in 2003, the appellant submitted a prior approval application (LPA ref: 03/D42418) for the installation of a 12.5m slim-line monopole supporting 3 no. antennas and equipment cabinets. However, the LPA refused prior approval on 07 November 2003.
- 3.61** Following this refusal the operator appealed the decision which was subsequently allowed in April 2004 under PINs reference: APP/P4225/A/04/1139616. The site was subsequently built as can be seen below at Image 1 in order to service the needs of the operators users in this area.
- 3.62** The equipment at the appeal site was later de-commissioned to consolidate the number of masts in the area with the operators (at that time) being able to site share streetworks style masts as part of the 4G rollout and O2 and Vodafone's commercial agreement to utilise the same equipment. The existing site on land at 157-171 Windermere Road was part of this consolidation exercise which accommodated equipment to meet both Vodafone and O2's coverage requirements in this area. As previously mentioned in this statement, it is no longer structurally possible to provide both operators multi-technology equipment (including 5G) from a single streetworks style pole.



Image 1: Previous mast allowed under appeal ref: APP/P4225/A/04/1139616. Source: Google Maps

- 3.63** Since the removal of the original communications equipment from the site subject of this appeal, there have been significant pushes for increased digital connectivity by national Government. The NPPF has been further revised since it was first published in 2012. Once in July 2018, then in 2019 and more recently in December 2023. The Government's latest thinking continues to strongly support communications infrastructure. The NPPF remains very supportive of high quality communications. Paragraph 118 states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. This wording echoes guidance set out in paragraph 42 of the 2012 version of NPPF. However, it also includes the importance of *reliable* communications infrastructure for both economic growth *and social well-being*.
- 3.64** Not only was there significant planning policy changes relating to telecommunications since the previous radio base station at the appeal site was decommissioned and removed, but the actual technologies have been upgraded. 4G was launched in 2012 and 5G in 2019. These new technologies have greater technical constraints including their ability to propagate. As

new technologies were launched, they were allocated higher frequency bands by the Government. As explained later in this appeal statement, the higher the frequency bandwidths allocated to the operators by Ofcom, the more attenuation of the antenna signal there is. Thus, a need for taller masts. Inspectors now attach significant weight to the lack of coverage and capacity, the social and economic benefits of providing high quality and multiple technologies i.e. 2G, 3G, 4G and 5G rather than 2G and 3G alone which would not enable most handheld devices to work on the internet due to a lack of capacity for data usage.

- 3.65** The increase in demand for 5G has grown both locally and nationally with the operators customers becoming accustomed to being able to access the 5G network wherever they go. The appellant's radio engineer prepared coverage plots (see Appendix CTL 2) to display the extent of need for an installation at this location, accompanied by an illustrated site search area to demonstrate that the sequential approach has been followed, in accordance with the NPPF and Code of Practice. The search area also demonstrates the constrained area, typical to 5G cell site deployment in urban areas, identified to provide improved coverage and capacity and new 5G coverage reflected in the coverage maps.
- 3.66** The operator is fairly limited in siting options as there is a requirement to provide the latest 4G coverage to the cell area and new 5G service provision to an area which currently receives no 5G coverage.
- 3.67** The current appeal site location has previously hosted a telecommunications monopole whereby the planning inspector considered the location to be appropriate in terms of siting and appearance. The monopole was only removed to consolidate the number of masts in the area. The existing site at 157-171 Windermere Road was one of those consolidation sites, but which is now unable to be upgraded to enable both VMO2 and Vodafone to provide 2G-5G service provision as the existing mast is not structurally capable of supporting all these technologies (particularly 5G whose antennas and associated feeder cables are significantly bigger than previous technologies due to the amount of data they have to handle). Thus the communications site on Hollin Lane now requires to be re-instated into the network due to the growth and demand of 5G network coverage in this area where it is currently non-existent for VMO2.
- 3.68** The LPA questions the need for the installation and the provision of 5G coverage. The submitted coverage plots show the requirement for the monopole to be installed whereby there is no current existing coverage for the operator. The NPPF states at para 122 that "*Local Planning Authorities must not question the need for electronic communications systems*". The operator has considered all siting options and determined this location was the most

appropriate from a technical and planning perspective.

- 3.69** In an appeal on Fulwood Road in Sheffield for a 17.5m replacement column in relation to the operator needing to find a replacement site in order to replicate and improve existing coverage following the loss of an existing site nearby for redevelopment reasons, the inspector allowed the appeal even though he found less than significant harm to the conservation area it was located within (PINs reference: APP/J4423/W/20/3252355, see Appendix CTL 5 for a copy of the Decision notice and plans) as he considered that the benefits of the proposed scheme would outweigh the harm. He also found that new sites need to provide replica or improved coverage to that of the existing:

Para 19 'It is reasonable that any new site needs to provide replica or improved coverage to that of the existing, and that this provides for social and economic benefits to enable customers to continue to have access to the existing levels of coverage and capacity. I also accept that from a technical standpoint the appellant has sought to minimise the impact of the installation by virtue of its simplicity of its overall design and height.

Para 20 The accumulation of the above points leads to the conclusion of the provision of the installation in this location provides a significant public benefit to the wider area and community, and to which I attach substantial weight in support of the development.

Para 21 In the absence of any alternative options, I conclude that the benefits resulting from the proposed development would outweigh the less than substantial harm to the significance of the conservation area as a heritage asset and any conflict with Section 72 of The Act'.

- 3.70** It is noted that the above appeal was located in a conservation area and therefore in a more heritage sensitive location than the appeal site which is not in a heritage designated area. Furthermore, the inspector found there to be less than substantial harm to the conservation area and carried out the planning balancing exercise weighing the harm to the conservation area compared to the benefits of being able to provide replica and improved service provision to the surrounding area. These are strong transferrable points that can be used in this appeal as an indication of the strength of support from Government of the social and economic benefits of providing the latest technologies to areas which have a current hole in service provision and the need to provide replacement replica and improved coverage to the cell area to prevent the appellant's customers from experiencing dropped calls and buffering as

demands on the network continue to grow. Thus, the operator is obliged to upgrade its network to ensure that its customers continue to be able to access the network in the way that they have come to expect and that their latest 5G enabled handsets will be able to work for the purposes in which they were purchased.

3.71 The appellant notes that the planning officer questions the viability of each of the discounted options and the appeal site *“No further information has been provided to conclude that the eight sites in this assessment, plus the application site, are the only viable sites to fulfil the needs of the operator within this undefined area”* (see Appendix CTL 6 for the delegated report).

3.72 In a recent appeal decision Footway of St Mildreds Road in Lewisham for a 17.5m monopole in relation to the operator needing to find a site to improve existing coverage and provide new 5G coverage. The inspector allowed the appeal even though he found the mast would have some harm to the character and appearance of the area, the outlook from nearby dwellings and other alternatives may have had less visual harm. However, the planning inspector recognised operational requirements are just as important. (PINs reference: APP/C5690/W/23/3334595, see Appendix 7 for a copy of the Decision notice and plans) The inspector acknowledged whilst alternatives would be better from a visual impact if they don't work operationally then they are of no use:

‘Para 13 The appellant has provided clear and detailed reasons why each of the alternative identified sites were discounted. The Council has not sought to challenge these reasons as such or suggest alternative sites. Instead, it contends that the assessment largely discounted each of these sites due to operational requirements, rather than considering their impact on public or neighbouring amenity. However, the Council’s approach on this matter is flawed. Whilst there may be sites which are better sited in respect of character and appearance as well as amenity considerations, there is little point in assessing those sites if they do not meet operational requirements to support high quality communications. On the basis of the evidence before me, the appellant’s site selection process is robust and the Council has provided no substantive evidence to demonstrate otherwise’.

Site Selection – Discounted Sites

3.73 In accordance with the licence obligations and advice in NPPF and the Code of Practice the applicant’s network rollout team undertook an inspection of the area of search, which investigated the following siting and design options using this sequential approach to site

selection:

- Upgrading their own existing base stations;
- Using existing telecommunications structures belonging to another communications operator. i.e. Mast and/ or site sharing, co-location;
- Installations on existing high buildings or structures including National Grid pylons;
- Using small scale equipment; and finally
- Erecting a new ground-based mast site – (1st) Camouflaging or disguising equipment. (2nd) A conventional installation e.g. a lattice mast and compound.

3.74 The appellant's site selection strategy is to keep the overall environmental impact to a minimum. Utilising existing masts is always progressed where it is technically and legally possible and where it is the local planning authority's preferred environmental solution.

3.75 A number of sites have been considered prior to the appeal site being selected. These were given careful consideration with regard to the impact of development at each location in terms of visual and residential amenity, other planning issues as well as the technical suitability of each site to VMO2. In selecting the site and design of the proposed installation the views that have been received as a result of the consultation exercise have been taken into account. The location considered most acceptable in terms of all these factors was then selected.

3.76 The details of alternative sites considered prior to selecting the proposed site and design are contained in the list below.

3.77 D1 – Existing Telecom Site – Vodafone Structure, land at 157-171 Windermere Road, Middleton, M24 5YG NGR E: 386345 N: 407229

The operator has fully investigated upgrading this site to provide the latest technologies for 4G services as well as new 5G coverage/capacity into the VMO2 network. However, the design of the existing pole is not physically capable of supporting the additional 5G antennas for both Vodafone and VMO2 as they are much bigger and heavier than the previous generations of mobile technologies as they carry much more data. Thus, there is not sufficient space at the top of the existing column to support the new antennas which are required. The feeder cables which run down the centre of the column are also much heavier and bigger to support the new 5G antennas and the existing column is not wide enough to accommodate these feeder cables. The result being that the existing column would have to be replaced with a larger monopole or

lattice tower to provide 5G for both operators.

The appellant's engineers have fully considered what type of design would be necessary and what height would be required if the existing telecommunications site were to be utilised. In order to meet the more stringent requirements of the beam forming 5G antenna signal a mast height of some 25m would be required, which would be circa 10m taller than the existing monopole. In order to provide both operators (Vodafone and VMO2) with 2G-5G antennas on a mast structurally capable of supporting all the equipment at the required height then a monopole with large bulky headframe would be required. Figure 6 below shows an example of this sort of design.

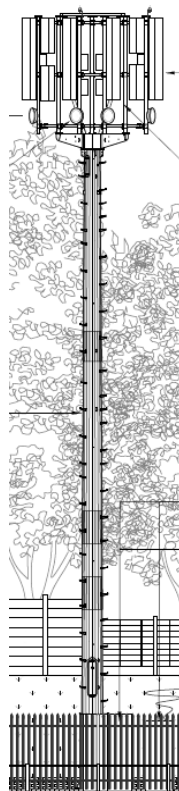


Figure 6 shows type of structure which would be required to enable both VMO2 and Vodafone to utilise the same structure and provide all technologies to the surrounding area – 2G, 3G, 4G and 5G.

The only other design available to the operators, which would provide the necessary support to hold the apparatus required for both operators, would be a lattice tower similar to the design set out in in figure 6 above.

Given that the area is surrounded by residential properties and that the rear elevations of Dunmail Drive would directly face the installation some 30m away then this would appear prominent and overbearing for these occupiers, especially as their rear gardens would face the installation at some 17m away. The picture below from Google Streetview demonstrates that the existing 15m mast is already visible from Dunmail Drive, and thus a mast some 10m

taller and significantly more bulky would have a much greater impact on the character of the surrounding area and the amenity of the nearby residential occupants.



View of existing 15m monopole to the rear of 157-171 Windermere Road Source: Google Maps

Both these designs are climbable. Therefore, the equipment would need to be protected by a secure palisade fenced compound large enough to include the tower, its base and the ground based equipment cabinets. A demise area of at least 10m x 10m would therefore be required. There is insufficient space available in the existing demise area and therefore it would need to be extended. This would encroach into the yard area behind the shops causing the entrance to this service yard to be partially blocked. As such, a replacement site in this location was discounted for these reasons.

3.78 D2 – Rear yard area of 157-171 Windermere Road, Top of Hebers, Middleton, Rochdale, M24 5PX NGR: Various

The planning inspector when determining the replacement site for VMO2 on Windermere Road, opposite Bonscale Crescent, PINs ref: APP/P4225/W/22/3300800 (see Appendix CTL 8), considered that there could be a possibility to redevelop the existing mast in the yard area of 157-171 Windermere Road. However, if the site were to be relocated into the south east or south west corner of the yard area then this would have an even greater impact on the visual amenity of the occupiers of nearby residential properties and would lead to an overbearing presence and detrimental loss of amenity for the occupants of these residential properties. This is especially so given the mast height would have to be increased by circa 10m and would be adjacent to the rear garden areas of Crummock Drive and Dunmail Drive. The design of

the mast would have to be a monopole with large open head frame or lattice structure as shown in figures 1, 2 and 6 above. The google earth image below demonstrates the inter relationship a site to the rear of 157-171 Windermere Road would have on the occupants of Crummock Drive, Dunmail Drive and the residents of the flats above the business units of 157-171. No matter where the replacement radio base station would be situated within the yard area it would have a detrimental effect on the amenity of the occupants of nearby residential properties and the character of the surrounding area. For all of the above reasons a site to the rear of 157-171 Windermere Road has been discounted.



The existing site that VMO2 is currently operating from is denoted by the yellow star, possible alternative locations are denoted by the red arrows within the rear yard of 157-171 Windermere Road. Source Google Earth

3.79 D3 – Streetworks Bratray Drive, Top of Hebers, Middleton, M24 5WW NGR E: 386223 N: 407274

An installation at this location would be on lower ground than at the appeal site. The structure would need to be substantial in height, at over 20m, which would require a lattice tower for structural integrity to deliver the required level of coverage to the target coverage area. The location is surrounded by residential properties and such a design would have a detrimental impact on visual amenity of the surrounding area, out of place and unduly prominent in the streetscene. As the structure would be climbable then a secure fenced compound would be required. The lattice tower and associated cabinets would require a demise of circa 10m x 10m. There is insufficient space on the highway for such an installation without causing

detrimental harm to highway safety. As such a site in this location has been discounted for these reasons.

3.80 D4 - Streetworks on Talkin Drive, Top of Hebers, Middleton, Rochdale, M24 5LS NGR E: Various

An installation in this location would be surrounded by residential properties, with no screening and limited vertical structures to assist with assimilation into the streetscene. A site in this street would be more prominent and have a greater impact on visual amenity for the occupants of nearby properties as they would directly face the installation at a much closer range than at the appeal site. The footways are also too narrow to be able to accommodate a radio base station without detrimentally affecting highway safety. This site has therefore been discounted for these reasons.

3.81 D5 – Streetworks on Bonscale Crescent, Top of Hebers, Middleton, M24 5LX NGR E: 386388 N: 407484

An installation in this location would be surrounded by residential properties, with no screening and limited vertical structures to assist with assimilation into the streetscene. A site here would be more prominent and have a greater impact on visual amenity for the occupants of nearby properties as they would directly face the installation at a much closer range than at the appeal site.

3.82 D6 – Streetworks Land off Rothay Drive, Top of Hebers, Middleton, Rochdale, M24 5LZ NGR E: 386465 N: 407320

Planning permission has been granted for 55 dwellings under LPA ref: 20/01506/FUL. A site in this location is therefore not available for a telecommunications installation. A site in this location has therefore been discounted for this reason.

3.83 D7 – Streetworks at the junction of Langley Lane and Hollin Lane, Top of Hebers, Middleton, M24 5LE NGR E: 386526 N: 407554

A site in this location would not be able to be built due to the underground services which are present in this location. As such, this site location has been discounted for this reason.

3.84 D8 – Streetworks at Whalley Road, Top of Hebers, Middleton, Rochdale, M24 6FX NGR E: 386630 N: 407370

An installation at this location is surrounded by residential properties at closer range than the appeal site and would have a greater impact on visual amenity. This site has therefore been

discounted for these reasons.

3.85 D9 – Greenfield / Rooftop – Middleton Select Boxing Club, Windermere Road, Middleton, M24 5WD, NGR E: 386354 N: 407213

There is insufficient vacant and unused space within the yard area of the boxing club to accommodate a radio base station in this location. The rear of the boxing club is used and marked out as basketball courts.

The rooftop is too low to accommodate equipment to provide the necessary coverage to the target coverage area. This is the main reason for discounting this site. However, there are other reasons for discounting this site. It is also not structurally stable enough to support the heavy weight of the operators antennas. The design of the building would also not lend itself to supporting telecommunications apparatus. The roof is pitched and thus there is nothing for the apparatus to be securely attached to. The weight of the equipment would mean that the antennas would slide off the roof taking the tiles and batons with them. The antennas would also not be able to be directed to the target coverage area from a pitched roof as they would be pointing up to the sky rather than horizontally. This site has therefore been discounted for these reasons.

3.86 D10 – Streetworks – Footway of Windermere Road, Middleton, Greater Manchester, M24 5WD, NGR: E: 386313 N: 407298

A previous planning application was submitted on the footway of Windermere Road for the same structure, height and design as that currently under appeal. However, this was dismissed at appeal on November 2022 under PINS ref: APP/P4225/W/22/3300800 (See Appendix CTL 8 for a copy of this PINs decision and plans). The inspector concluded:

Para 15 "Overall, I conclude that the proposed mast would represent an incongruous and intrusive addition to the street scene, resulting in significant harm to the character and appearance of the area, that is not outweighed by the social and economic benefits of 5G coverage".

The current appeal site benefits from being located in a partial break from the residential nature of the area with a backdrop of semi-mature trees.

3.87 D11 – Streetworks – Footway of Langdale Drive, Middleton, Greater Manchester, M24 5NJ, NGR: E 386496 N 407069

There are underground services in this location which would prevent a radio base station from

being built in this location. The site is also at the edge of the search area and therefore would not provide full 360 coverage to the cell area. Only one out of the three sectors would be able to be directed into the target coverage area. This would cause calls to be dropped and buffering. A site in this location has therefore been discounted for these reasons.

3.88 D12 – Greenfield – Land at Langley Lane, Middleton, Greater Manchester, M24 5LH, NGR: E 386290 N 407563

This site has plans to be redeveloped. It has planning permission for the installation of 150 residential dwellings (LPA ref: 15/01195/OUT). It is therefore not available for a telecommunications installation.

3.89 D13 – Streetworks – Footway of Whalley Road, Middleton, Greater Manchester, M24 6FX, NGR: E 386709 N 407374

The proposed installation would be highly visible from all directions and is considered to have a far more significant impact on residential and visual amenity than the appeal site, which benefits from being located in a partial break from the residential nature of the area with a backdrop of semi-mature trees, opposite shops and a business unit and just north of a public house with associated drinking area and car park. The site would be located directly in front of residential frontages which would have a higher visual impact than the appeal site. It would be located within the visibility splay of users of existing Kirkstall Road onto Whalley Road which would cause highway safety issues. A site in this location has therefore been discounted for these reasons.

3.90 D14 – Rooftop – Spar, Hollins Lane, Middleton, Greater Manchester, M24 5WA, NGR: E 386533 N 407430

The building is too low to provide the necessary coverage to the target coverage area. The design of the existing building does not lend itself to being able to support the operator's equipment as the rooftop is corrugated iron. This site has therefore been discounted for these reasons.

3.91 D15 – Rooftop / Greenfield – Saxonside, Windermere Road, Middleton, Greater Manchester, M24 5WD, NGR: E: 386457 N: 407056

This site has plans to be redeveloped. It has planning permission for the installation of change of use and conversion to a doctors surgery, children's nursery, dentist and pharmacy (LPA ref: 19/00822/FUL).

The building is also too low to provide the necessary coverage to the target coverage area. The roof is also pitched. The apparatus would not be able to be attached to a sloping roof and the weight of the apparatus would slide off the roof building taking the tiles and batons with them. This would lead to the roof's demise. It is therefore not available for a telecommunications installation

3.92 D16 – Rooftop – Gardeners Arms, Hollin Lane, Top of Hebers, Middleton, Greater Manchester, M24 5LE, NGR E 386562 N: 407530

The building is too low to provide the necessary coverage to the target coverage area. The design of the existing building does not lend itself to being able to support the operator's equipment. The roof design is a hipped roof, whereby there is nothing for the apparatus to be attached to other than the tiles, and weight of kit would cause them to slide off and take the batons with them. There is insufficient space for pole mounts to be attached to the elevations of the building, due to the presence of the windows and pub signage, even if there was they would need to be extremely tall to avoid clipping, ICNIRP and to obtain sufficient height to clear the urban clutter and provide the necessary coverage to the target coverage area but there is not enough wall height to support such long poles needed, making them structurally unsound. An installation here would also be seen from all angles with no screening, which would have a greater detrimental impact on visual amenity than the appeal site location. There is insufficient physical space to site a radio base station in the grounds of this public house due to the requirement for car parking spaces and deliveries. This site has therefore been discounted for these reasons.

3.93 D17 – Streetworks – Footway of Langley Lane, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 5LL, NGR E: 386307 N: 407543

There are underground services in this location which would prevent a radio base station from being located here. It would be located in a more open area than the appeal location with little to no screening in comparison to the appeal site which benefits from semi-mature trees to provide a partial backdrop.

3.94 D18 – Streetworks – Footway of Hollin Lane, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 5FE, NGR E: 386657 N: 407132

There are underground services in this location which would prevent a radio base station from being located here. The site would be surrounded by residential properties, including residential frontages which would be more visually intrusive than the appeal site. The site is also located on the edge of the search area. This would mean only 1 out of the 3 sectors

would be able to provide the necessary coverage to the target coverage area, leading to capacity and coverage issues resulting in dropped calls and buffering. The chosen site location is considered to be more appropriate in order to deliver the required coverage to the target area. This site has therefore been discounted for these reasons.

3.95 D19 – Rooftop - Windermere Drive, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 5NQ, NGR E: 386388 N: 407199

The building is too low to provide the necessary coverage to the target coverage area. The building would also not support telecommunications equipment. The roof design is a hipped roof, whereby there is nothing for the apparatus to be attached to other than the tiles, and weight of kit would cause them to slide off and take the battons with them. The gable ends of the pitched roof buildings would need to have very long support poles in order to avoid clipping and ICNIRP issues. These would need to be at least as tall as the buildings themselves. This would look very unsightly especially given the amount of supporting bracketry that would be required in order to enable them to be attached to the building securely and withstand wind loading requirements. Bolts would need to be attached through the building to backplates on the other side into the residential dwellings gable ends. These bolts and backplates would need to be inspected internally on an annual basis. This would be very intrusive for the occupants of these properties and would not be practicable. Furthermore these buildings are not designed to structurally take the weight of the antennas which are at least 50kg each and their feeder cables which are also very heavy. The building has a pitched roof. This design does not provide anything that the equipment can securely be fastened to, the apparatus would slide of the roof taking the batons and roof tiles with them. Flat roofs are required in order to secure telecommunications equipment.

3.96 D20 – Rooftop / Greenfield – Residential apartments, Whalley Road, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 6ET, NGR E: 386599 N: 407343

The building would not support telecommunications equipment. The gable ends of the pitched roof buildings would need to have very long support poles in order to avoid clipping and ICNIRP issues. These would need to be at least as tall as the buildings themselves. This would look very unsightly especially given the amount of supporting bracketry that would be required in order to enable them to be attached to the building securely and withstand wind loading requirements. It would not be practicable to erect such support poles on these buildings and these buildings are not designed to structurally take the weight of the antennas and their feeder cables which are all very heavy. The pitched roofs would not be able to support telecommunications equipment. Flat roofs are required in order to secure telecommunications

equipment. The design of the building would also not lend itself to supporting telecommunications apparatus.

A taller and bulkier mast would be required in the car park in order to see over the rooftop otherwise the antennas would be blocked, failing in reaching the target coverage area. This would have a greater visual impact on the residential amenity of the apartments. There is insufficient space in the car park to provide an installation in this location. It would need to take up at least two car parking spaces, and these are assigned to the occupants of the flats that the car park it is associated with. This site has therefore been discounted for these reasons.

3.97 D21 – Streetworks – Various locations along Langley Lane, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 5LL, NGR Various

A site located along this road would be surrounded by residential properties, with their frontages facing the proposed radio base station at close range. This would have a much greater impact on visual amenity than the proposed appeal location. It has therefore been discounted for these reasons.

3.98 D22 – Streetworks – Various locations along Hollin Lane, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 5LL, NGR Various

A site located along this road would be surrounded by residential properties, with their frontages facing the proposed radio base station at close range. This would have a much greater impact on visual amenity than the proposed appeal location. It has therefore been discounted for these reasons.

3.99 D23 – Greenfield – Land at Bonscale Crescent, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 5JW, NGR E: 386378 N: 407384

A site in this location would be overbearing on the residential properties to the west with little to no screening. It would be located on higher ground which would result in the mast being more visible from the wider surrounding area than the proposed appeal location. It has therefore been discounted for these reasons.

3.100 D24 - Streetworks – Grassed verge of Whalley Road, Top of Hebers, Middleton, Rochdale, Greater Manchester, M24 6ET, NGR E: 386599 N: 407365

A site located along this road would be surrounded by residential properties, with their frontages facing the proposed radio base station at close range. This would have a much

greater impact on visual amenity than the proposed location. The tall residential apartments would inhabit 1 out of the 3 sectors, blocking the signal from reaching the target coverage area. It has therefore been discounted for these reasons.

3.101 D25 – Existing telecommunications site – Footway of Hazelhurst Drive, Top of Hebers, Middleton, Rochdale, Greater Manchester, NGR E: 386584 N: 407742

It is not possible to utilise this existing structure in order to deliver the required level of coverage to the target area. This existing mast would not be structurally capable of hosting the required 5G telecommunications equipment of both operators. A far larger structure with a bigger headframe would be required to host both operators, which would have a significant impact on local and visual amenity due to the residential nature of the area. The design required would be similar to those shown in Figures 1, 2 and 6 above. As these designs are climbable, they would need a compound area of some 10m x 10m. Clearly there is not sufficient footway space to accommodate this compound. Even if the design was considered to be acceptable, there is insufficient space to accommodate the type of mast and compound without causing detrimental highway safety concerns. As a result, this existing other operators radio base station has been discounted for these reasons.

3.102 D26 – Rooftop – Parade of shops on Junction of Langley Lane and Hollin Lane, Top of Hebers, Middleton, Rochdale, Greater Manchester, England, M24 5LF, NGR E: 386512 N: 407592

The roof design is a hipped roof, whereby there is nothing for the apparatus to be attached to other than the tiles, and weight of kit would cause them to slide off and take the battens with them. The gable ends of the pitched roof buildings would need to have very long support poles in order to avoid clipping and ICNIRP issues. These would need to be at least as tall as the buildings themselves. This would look very unsightly especially given the amount of supporting bracketry that would be required in order to enable them to be attached to the building securely and withstand wind loading requirements. Bolts would need to be attached through the building to backplates on the other side into the residential dwellings gable ends. These bolts and backplates would need to be inspected internally on an annual basis. This would be very intrusive for the occupants of these properties and would not be practicable. Furthermore these buildings are not designed to structurally take the weight of the antennas which are at least 50kg each and their feeder cables which are also very heavy. The building has a pitched roof. This design does not provide anything that the equipment can securely be fastened to, the apparatus would slide off the roof taking the battens and roof tiles with them. Flat roofs are required in order to secure telecommunications equipment.

3.103 D27 – Streetworks – Footway of Junction of Bonscale Crescent and Windermere Road, Top of Hebers, Middleton, Rochdale, Greater Manchester, MP24 5PX, NGR E: 386307 N: 407318

A site located along this road would be surrounded by residential properties, with their frontages facing the proposed radio base station at close range. This would have a much greater impact on visual amenity than the proposed location. There are underground services in this location which would prevent a radio base station from being located here.

A previous site (discount 10 / Appendix CTL 8) an inspector refused a site on the opposite side of the road due to the residential amenity:

Para 10: *“The proposed mast would also be visible from some of the dwellings on the opposite side of the road, particularly those dwellings on each side of the junction of Bonscale Crescent and Windermere Road. Whilst the view from a property is not a material consideration, the impact on outlook is. The proposed mast due to its height and form would be visually intrusive, looming above the existing low-scale development so as to harm the outlook of these neighbouring dwellings”*

A site in this location has therefore been discounted for these reasons.

3.104 D28 - Rooftop ML Shaw Fabrications, Junction of Langley Lane and A6046, Top of Hebers, Rochdale, Greater Manchester, M24 5LH NGR E: 386513 N 407544

This building is too low to be able to clear the urban clutter and provide the necessary service provision into the target coverage area. The building is also made of materials that are not strong enough to support telecommunications equipment. The site is also on the edge of the search area, and therefore only one out of three sectors would be able to provide any coverage into target coverage area. This would lead to capacity issues leading to buffering and dropped calls. As a result it would fail its design brief to provide 5G coverage to the target coverage area. There is insufficient space at ground level to be able to accommodate a radio base station in this location without interfering with the daily operations of the business. It would also be located on the boundary of residential properties and therefore would have an overbearing impact on the occupiers amenity. A site in this location has therefore been discounted for these reasons.

3.105 A map of the discounted sites can be found in figure 7 below. The search area is highlighted by the yellow polygon. This site is the only suitable option within the operators search area which would provide the necessary coverage to the target coverage area. As can be seen

from the search area there are few breaks in the residential nature of the area for a radio base station to be installed.

3.106 The appeal site is the most suitable option within the operators limited search area in the immediate surrounding environment which would provide the necessary coverage to the target coverage area. It is not constrained by underground services, it is not constrained by a narrow footway, it is set against the backdrop of trees, located where there was previously a similarly designed monopole and within the streetscene which contains a number of vertical structures, there are no other suitable non-residential buildings or greenfield sites which could support the appellant's multi technology equipment on the one installation. A map of the search area together with the location of the discounted options can be found below:

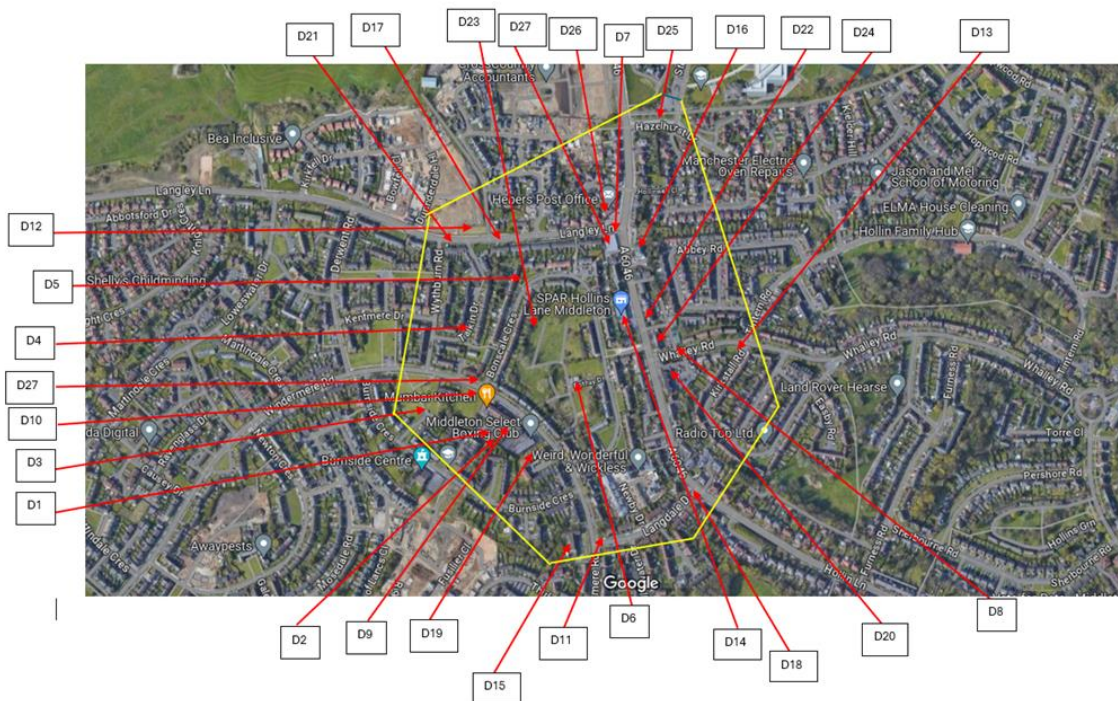


Figure 7: Designated Search area and discounted sites.

4.0 THE APPEAL PROPOSALS

4.1 Prior approval application ref: 24/00229/TELE, which is the subject of this appeal, was uploaded to the Planning Portal on 28 February 2024 and sent to the local planning authority via the Planning Portal on 06 March 2024 once payment had cleared. It was an application submitted under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is in accordance with the Electronic Communications Code (as amended). Where development exceeds the limits set out in the GPDO or relates to areas where permitted development rights do not apply, then operators are subject to the usual requirement for full planning permission.

4.2 The proposal which is the subject of *this appeal* benefits from permitted development rights subject to obtaining prior approval in relation to matters of siting and appearance *only*.

4.3 The application was registered on 06 March 2024 and the following description was given:

'The installation of 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'.

4.4 The operator has carefully considered the design of the proposed column. The operator is proposing the most sensitive design currently available to provide the necessary coverage and capacity to the surrounding area. Due to all the technologies that will be available at this location, 2G, 3G, 4G and 5G, 6 antennas need to be installed at the top of the slim-line monopole. These are split into a dual stack formation, to reduce the bulk at the top of the monopole, where 3 antennas will be located at the top and the other 3 will be located underneath. The 3 upper antennas will provide new 5G technology for the operator to the surrounding area. The 3 lower antennas will replace the 2G, 3G and 4G service provision currently being provided at the existing site at 157-171 Windermere Road. This makes the underside of the lowest antennas 3.66m lower than the top of the pole. In order for the antennas to operate effectively the whole of the antenna needs to be clear of any obstruction from tree foliage, urban clutter and buildings. Thus, if the column were to be any lower, the antennas would not be able to clear the tree foliage, urban clutter and buildings and as such would not be able to operate effectively.

4.5 The proposed height at 20m is essential in order to provide sufficient coverage and capacity to the target coverage area. A reduction in height would reduce the coverage footprint of the proposed installation and radio have confirmed that this compromise on height would not be able to provide complete and meaningful service provision to this cell area. 5G new radio

technologies operate in higher frequency bands than older technologies. Since it operates at higher frequencies where attenuation of the radio signal is naturally higher and the effects of clutter are greater it will normally require a higher structure to achieve the same coverage footprint. To increase capacity and data speeds to the user, the 5G antennas need to be mounted higher than previous technology's antennas. These factors drive a requirement for an increase in antenna height in 5G.

- 4.6** If the column height were to be reduced any further, then it would not clear the trees, buildings and urban clutter in the area and as such would not work effectively, as demonstrated by the panoramic images (see figure 8 below). The PANs evidence a lower height in this location would result in the antennas being blocked by the clutter and vegetation. The bearings show at 120-150 degrees the trees would block one sector, the lower height would lead to a poor user experience for a large part of the target coverage area, which already lacks any 5G coverage. As such, this would fail the operators design brief and an additional installation would have to be found leading to the proliferation of masts contrary to national planning guidance contained in the NPPF.

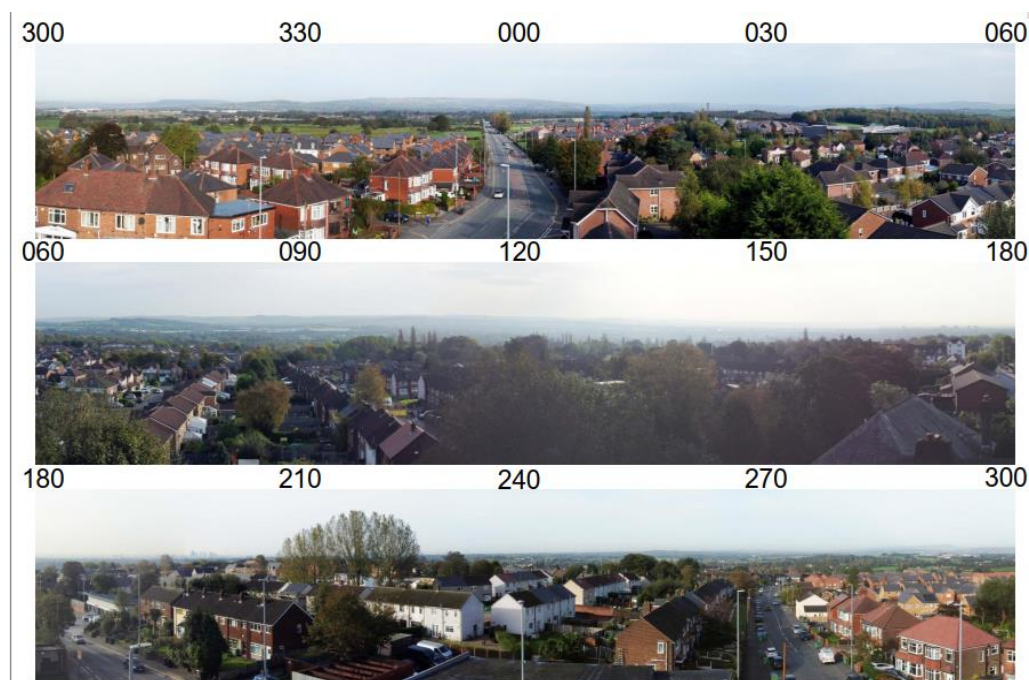


Figure 9: Panoramic view of site at 16.5m

- 4.7** It is essential that the 5G antennas are unshrouded. As the radio frequencies get higher, required for data carrying, the antennas are less able to propagate through immediate blockages including Glass Reinforced Plastic, which is what the shroud is made from. This affects the 5G antennas more so than any other technology. The result being they cannot

operate effectively when close to Glass Reinforced Plastic or any other blocking material. Therefore, there is a technical reason why the 5G antennas need to be unshrouded. If these antennas were to be shielded, then they would not be able to provide the necessary coverage to the target coverage area. An additional installation would be needed elsewhere within the cell area, leading to the proliferation of masts.

- 4.8** The latest 4G technology are also affected more so than older technologies by propagation and are therefore less efficient if they are shrouded. As such, the other antennas also need to be unshrouded to ensure that the latest technologies are provided to the surrounding area, helping the Greater Manchester City region become the smartest city and one of the best digitally connected city-regions in the UK as advocated in the Greater Manchester Local Industrial Strategy (see later for further details).
- 4.9** This is the appellant's slimmest design approved for use by the operator VMO2, which will enable all technologies to be supported from this site. The antennas have been designed to be as tightly packed together as possible to minimise their visual appearance. If the column and antenna width were to be any slimmer then the technology would not fit in the one column and another radio base station would be required, which would lead to the proliferation of masts contrary to national guidance contained in NPPF and the Code of Practice. Similarly, if the column were to be a uniform width throughout then the width of the supporting column would have to increase which would appear more visually prominent in the streetscene, than the proposed design.
- 4.10** The proposed streetworks design is more visually sensitive and much easier to assimilate into a streetscene than lattice towers or unshrouded pole designs with bulky headframes which are shown in figures 1, 2 and 6 above. These traditional greenfield site designs are preferred by operators as they are structurally capable of hosting more equipment and give greater scope for antenna orientation and are thus more efficient structures. However, such designs would appear alien in this public footway location. Therefore, the operator has compromised on obtaining maximum coverage in order to better assimilate into the streetscene.
- 4.11** The design of the proposed streetworks column does not differ greatly in character to the other utilitarian structures within the immediate area including lighting columns, road signage, traffic lights, telegraph poles, metal pedestrian safety barriers, post box, bollards, bus shelter, other statutory undertakers equipment cabinets and palisade fencing. These existing structures will help the proposed radio base station assimilate with the surrounding area.
- 4.12** The Code of Practice at Appendix A page 27 acknowledges that there are many ways in which

environmental and visual impact of ground-based masts can be reduced e.g. placing masts near to similar structures such as commercial premises, road signs and lamp posts, using simple and unfussy designs, and using appropriate colouring. Masts seen against the sky, are best left in a galvanised state or painted pale grey.

- 4.13** The appeal proposals fully accord with the Code of Practice. The design of the column is a simple, functional, vertical structure which will not appear incongruous within the streetscene. This is especially so given its careful siting set against the backdrop of semi-mature trees, located as far away as possible from residential frontages and in a natural break in the residential nature of the area. The column is proposed to be coloured grey BS00A05 to match the lighting columns and will better assimilate with an often-grey sky. Although it can be coloured any other colour the inspector considers appropriate.
- 4.14** The only element of the proposal which requires prior approval is the monopole. The cabinets are designed to appear like other statutory undertakers equipment cabinets, including in the immediate streetscene. They are to be located some 1.8m south west of the proposed column. The proposed equipment cabinets are small for telecommunications apparatus. The York cabinet will have dimensions 1900mm (w) x 600mm (d) x1750mm (h) which equates to 1.995m³. The Shire cabinet will have the dimensions 1050mm (w) x600mm (d) x1750mm (h) which equates to 1.1m³. As a result, each cabinet will be less than 2.5m³ and therefore can be installed under the operators permitted development rights. However, they have been included on the plans and in the description in order to remain fully transparent. Their colour is proposed to be grey BS00A05 to blend in with the other equipment cabinets in the streetscene and other statutory operators equipment cabinets commonly found in urban areas.
- 4.15** The ground based equipment cabinets have a similar appearance to other communications and electrical service boxes found in most streetscenes such as Openreach equipment cabinets. Following construction, the site is likely to be visited infrequently approximately once or twice a year, and generally for maintenance purposes only. Access to the site will be by foot in order to gain access to the equipment housed within the cabinets. In the event of the antennas within the mast needing to be maintained this will be achieved by siting a cherry picker with a hydraulic platform alongside the base station along with any necessary traffic management.
- 4.16** The proposed transmission dishes are required in order to provide a link into the surrounding network. Clear line of sight is needed to allow the transmission dishes to meet their operational requirements. As such, a centre line height of 15m is proposed for the transmission dishes in order to clear the natural and urban clutter in the surrounding area. If the transmission dishes

were to be any lower in height then they would not benefit from the necessary clear Line of Sight to the surrounding network.

- 4.17** The Ericsson Radio Systems (ERS's) are small units about the size of a shoe box. They are designed to make the antennas more efficient and reduce the amount of ground based equipment cabinets thus minimising the visual impact on the surrounding area. Given their height above ground level underneath the antennas, at some 16m, they will not be overly prominent in the streetscene.
- 4.18** VMO2 is an operator of an electronic communications network. It complies with the Electronic Communications Code as enacted under the Communications Act 2003, which provides the necessary legislative basis to run an electronic communications network. The proposed installation is needed to provide new high quality 5G service provision and in line with their license agreement and aligned to the latest Government thinking for the UK to be a world leader in 5G as well as the Greater Manchester Local Industrial Strategy, Greater Manchester Digital Blueprint, Greater Manchester Digital Strategy and Places for Everyone Joint Development Plan which fully supports 5G technology, seeking to ensure that Greater Manchester is a world-leading digital city, one of the best places in the world for developing and harnessing digital technology and to be recognised as being a top 5 European Digital City Region.
- 4.19** The new site will fill in the significant 'gap' in 5G coverage for the residential area of Top of Hebers. Currently, superfast 5G technology is non-existent for VMO2 in this area. 5G requires a contiguous network of coverage to ensure maximal service provision. Gaps in such coverage would adversely affect the impact of the performance of the latest technology throughout the cell area leading to a poor user experience. This proposed installation will meet the appellant's customers' demands for a better service in this area of Top of Hebers and the operator's legal requirement to provide high quality 5G coverage under its 5G license obligations.
- 4.20** The Officer's Delegated Report in its analysis section (see Appendix CTL 6) acknowledges that the proposals are permitted development where the principle of development is established:

'The erection of a pole up to 25m 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’.

- 4.21** The delegated Officer’s Report begins by referencing the NPPF as the Rochdale core Strategy does not contain any policies specific to telecommunications:

‘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’.

- 4.22** The case officer in the delegated report goes on to reference policies from the Rochdale Core Strategy which are not specifically relevant to telecommunications, instead relating to more general design of new traditional developments, rather than infrastructure installations:

‘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 boroughs 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’.

- 4.23** The delegated report then goes onto reference Paragraph 130 of the NPPF which refers to the residential development and urban density, and is not therefore considered to be relevant to this appeal:

‘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’.

- 4.24** The case officer in the delegated report reference’s Place for Everyone Policy JP-S1. The referenced policy relates to sustainable development. Places for Everyone Joint Development

Plan is a recently adopted statutory development plan for each of the 9 out of the 10 regions within the Greater Manchester Authority Region which relates to sustainable development:

'Places For Everyone Policy JP-S1 sets out development should minimise adverse impacts and advantaged in energy will need to be balanced against potential impacts'.

- 4.25** The delegated officer's report indicates the concerns of the proposed development would be the tallest structure in the area being taller than other elements of street furniture in the immediate area:

'When considering visual impact the site is located at the junction of Langley Lane and Hollin Lane, the appearance of a monopole 20m in height and associated equipment cabinets would be highly prominent and stand taller than the existing street furniture'.

- 4.26** The delegated officers report goes on to consider there would be long range views for people travelling in 3 out of 4 directions:

'Due to the height of the proposed development people travelling from Langley Lane to Hollin Lane and people travelling either direction on Hollin Lane will have a clear view of the proposed development. These long range views demonstrate the proposal would fail to integrate into its surroundings'.

- 4.27** The delegated Officer's report also considers that the appeal site would appear out of scale and the visual harm would be combined with the proliferation of the cabinets on the street:

'The street furniture consists of street lighting columns at 12m in height and the existing bus stop is 2.5m in height therefore the monopole would appear distinctly out of scale. The visual harm of the development would be compounded through the proliferation of cabinets at street level in an unshielded location'.

- 4.28** The Delegated Report continues to describe the area of the appeal location including the heights of the surrounding properties, repeating the monopole would be taller than the surrounding vertical structures:

'The area is predominately residential and the closest dwelling is approx. 10m for the proposed monopole and associated cabinets. This dwelling is 7.5m in height and the pub to the south has a chimney 11m in height, therefore the monopole would be significantly taller than all surrounding vertical structures in the street scene'.

- 4.29** The Delegated Report references two appeal decisions which were dismissed for a similar

design, height and scale in a similar character area to the appeal location:

'Appeal references APP/P4225/20/3259908 and APP/P4225/W/20/3260406 both included proposals for a 20m monopole in areas displaying similar characteristics; surrounded at the base by low street furniture and on straight roads with extensive views either way. The inspector in both cases considered the difference in scale to result in an unacceptable relationship with the surrounding environment and dismissed each appeal respectively'.

- 4.30** Page 6 of the delegated report accepts the visual harm has been mitigated through the colour of the monopole, where it will be predominantly viewed against the natural skyline:

'It is appreciated that some of the visual harm resulting from the monopole would be mitigated by virtue of the choice to colour the monopole grey, where it is predominantly viewed set against the sky. This however would fail to adequately disguise the height or mass of the installation of equipment at the site, given the highly visible location on a straight cross roads that provides long range views'

- 4.31** The delegated report then goes on to assess the site selection and reasons for discounted alternative sites:

'Nine alternative sites have been put forward and each site has been discounted due to various reasons. No further information has been provided to conclude that the eight sites in this assessment, plus the application site, are the only viable sites to fulfil the needs of the operator within this undefined area. There was no reasoning as to why these sites were the only locations assessed in the cell search area'.

- 4.32** The delegated report refers back to the aforementioned appeal ref: APP/P4225/20/3259908 which the planning inspectorate officer referred to evidence that the appellant had not demonstrated an alternative option would be suitable whilst providing the same level of coverage:

'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, 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'

- 4.33** The Delegated report concludes there would be social and economic benefits associated with the mast but the visual harm would not be outweighed:

'The proposed 20m monopole and associated ancillary works would result in social and economic benefits through the improvements to local communications networks. Despite this, the proposal would result in significant material harm to the character and appearance of the surrounding area and taken as a whole, would fail to comply with the requirements of paragraphs 119 to 121 of the NPPF and this harm would outweigh any benefit which would be secure to the local communications network.'

- 4.34** The prior approval application was refused under delegated powers on 25 April 2024.

5.0 NATIONAL PLANNING POLICY

Introduction

5.1.1 Planning policy is provided at the national level by the National Planning Policy Framework (NPPF). It is a material consideration in planning decisions.

5.1.2 It is not necessary to quote extensively from this document, but the following points are highlighted.

5.2 National Planning Policy Framework (December 2023)

5.2.1 The Government's National Planning Policy Framework (NPPF) was most recently revised in December 2023. The Government's latest thinking continues to strongly support communications infrastructure. The NPPF remains very supportive of high-quality communications. Indeed, a whole chapter is dedicated to high quality communications, emphasising the importance that the Government attaches to digital connectivity. Paragraph 118 states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. However, it also includes the importance of *reliable* communications infrastructure for both economic growth *and social well-being*.

5.2.2 Paragraph 118 notes that 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 over time. The economic and social benefits of providing high quality and reliable communications infrastructure are well documented and can be found later in this Supporting Information Statement.

5.2.3 Paragraph 119 of NPPF makes reference to 5G:

'Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G)...'

5.2.4 With the above in mind, the Government is already forward thinking the evolution of data networks and seeks planning decisions to take account of this. 5G technology provides increased speed of data and more capacity in the network, to ensure that handheld devices can continue to be used for the purposes in which they were purchased. This will bring even greater economic and social benefits to the area.

5.2.5 Paragraph 119 of the NPPF retains the requirement to minimise the number of installations consistent with the efficient operation of the network but also includes being consistent with the

needs of consumers and providing reasonable capacity for future expansion.

5.2.6 Paragraph 122 of the NPPF relates to determining 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.

5.2.7 Paragraph 8 of the NPPF sets out three objectives for achieving sustainable development:

'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

a social objective – to support strong, vibrant and healthy communities with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.

5.2.8 At the heart of the NPPF is the retained presumption in favour of sustainable development (para 11). For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies within the revised Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the revised Framework taken as a whole.

5.2.9 The NPPF continues to provide guidance on decision-making. At paragraph 38 it states that:

'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including...permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for

sustainable development where possible’.

5.2.10 The NPPF builds on the aspiration to build a strong, competitive economy. Paragraph 85 states:

‘Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking in to account both local business needs and wider opportunities for development. The approach taken, should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation⁴⁴.’

5.2.11 Footnote 44 of the NPPF states:

‘The Government’s Industrial Strategy sets out a vision to drive productivity improvements across the UK, identifies a number of Grand Challenges facing all nations, and sets out a delivery programme to make the UK a leader in four of these: artificial intelligence and big data; clean growth; future mobility and catering for an ageing society. HM Government (2017) Industrial Strategy: Building a Britain fit for the future’.

Code of Practice Wireless Network Development in England (March 2022)

5.2.12 The Code of Practice provides guidance to Code Operators including the Mobile Network Operators and wireless infrastructure providers, their agents and contractors, local planning authorities, and all other relevant stakeholders in England on how to carry out their roles and responsibilities when installing wireless network infrastructure.

5.2.13 The aim of the Code of Practice is to support Government’s objective of delivering high quality wireless infrastructure whilst balancing these needs with environmental considerations. Led by the Department for Digital, Culture, Media and Sport (DCMS), this Code of Practice has been developed in collaboration with representatives of the mobile network industry, other government departments and public bodies, local planning authorities, and protected landscapes. The Code of Practice covers all forms of wireless infrastructure development, including mobile masts and cabinets. This document replaces the previous Code of Best Practice on Mobile Network Development (2016).

5.2.14 Paragraphs 8 – 12 of the Code of Practice set out the importance of connectivity:

'8. Digital connectivity is vital to enable people to stay connected and businesses to grow. Fast, reliable digital connectivity can deliver economic, social and well-being benefits for the whole of the UK.

9. As the demand for mobile data in the United Kingdom is increasing rapidly, it is important that everyone has access to dependable and consistent mobile coverage *where they live, work and travel*.

10. The [Future Telecoms Infrastructure Review \(FTIR\)](#) and the [National Infrastructure Strategy](#) set out the government's long-term strategy for meeting its digital connectivity targets and delivering high quality, reliable digital infrastructure that works across the UK.

11. The government has committed to extending mobile coverage across the UK. The government's *Levelling Up White Paper* has set a mission that the UK will have nationwide 4G coverage, with 5G coverage for the majority of the population by 2030. In support of this, the government and the UK's mobile network operators agreed a [£1 billion Shared Rural Network deal](#) to extend 4G mobile geographical coverage to 95% of the UK by the end of the programme.

12. [Next Generation Mobile Technologies: A 5G Strategy for the UK](#), and the [update](#) to this, set out the government's ambition for the UK to be a global leader in 5G to take early advantage of its potential and help to create a world-leading digital economy that works for everyone. The government also wants businesses and communities to benefit from investments in 5G as soon as possible. Through the government's 5G Testbeds and Trials programme we have seen its value to manufacturing, farming, transport networks and healthcare'.

5.2.15 Paragraph 13 of the Code of Practice acknowledges the role of the planning system in the delivery of digital infrastructure:

'The planning system plays a key role in delivering the digital infrastructure that we need, in a sustainable and well-designed way, especially as households and businesses become increasingly reliant on mobile connectivity'.

5.2.16 Paragraph 17 sets out how wireless technology has evolved from 2G – 5G:

17. Wireless technology continues to evolve rapidly, and mobile devices are now capable of much more. Second generation (2G) technology gave us voice calls and text messages, 3G led to the launch of smartphones, and 4G, which enabled faster browsing, allowed us to do things like watching videos on the move. 5G, the latest *generation of wireless technology, is much faster than previous generations of wireless technology and can offer greater capacity and lower latency, allowing thousands of devices in a small area to be connected at the same time. 5G networks, and future mobile generations, will be vital for a range of Internet of Things uses (IoT) and Smart City applications.*

5.2.17 Paragraph 18 of the Code of Practice sets out the principles and commitments that operators should follow when developing their networks inter alia:

- Site sharing and use of existing structures: make use of existing structures, sites and masts wherever possible to reduce the need for new development.
- Consultation with local planning authorities, local communities and other stakeholders.
- Standardised and high-quality approach to planning applications, and the notification procedure: provide standardised supporting documentation for planning applications (where appropriate) within the context of national and local requirements.
- Compliance with guidance laid out in the International Commission on Non-Ionizing Radiation (ICNIRP) public exposure levels guidance.

5.2.18 The Code of Practice also sets out the requirements of the LPA in relation to the deployment of digital infrastructure:

- Incentivising connectivity: support the expansion of telecommunications networks and take a 'joined-up' approach to the wireless infrastructure planning process, including ensuring that Local Plans effectively support the deployment of digital infrastructure.
- Facilitating sites: engage with operators when new sites have been proposed and discuss site requirements.
- Engagement with operators: respond positively to requests for engagement and make decisions in line with national policy and Local Plans. For planning applications, find solutions to issues and ensure timely decisions are made.

5.2.19 Paragraph 22 of the Code of Practice acknowledge the limitations to siting and design:

'The choice over the site selection and design of equipment is primarily dependent upon the coverage and capacity requirements and technical constraints of a specific location, although operators should make efforts to reduce visual impacts where possible'.

5.2.20 Paragraph 23 goes on to advise that telecommunications development is sustainable development and should be supported:

'There should be a presumption in favour of facilitating sustainable network development and, as such, operators and local planning authorities, as well as all other bodies involved in the deployment process, should work together to ensure connectivity needs are met and find viable solutions to deployment issues'.

5.2.21 The Code of Practice explains the operators site selection and that they use a range of sophisticated, computer-based planning tools to predict levels of signal strength and coverage from sites for 2G, 3G,4G and 5G. For a site to be suitable it needs to have existing or ready access to a power supply, access to fibre optic cables, vehicular access and other buildings and development which may provide a level of existing screening. It acknowledges that operators typically look to upgrade existing infrastructure prior to considering a new deployment.

5.2.22 The Code of Practice sets out general siting and site selection principles including (para 25):

'...where possible operators should look to use existing buildings/structures for hosting wireless infrastructure, to reduce the environmental impact of installation. Where the erection of a new ground-based mast is required, operators should seek measures to reduce the impact of the development, where possible. For example, measures such as siting near similar structures, screening, and using simple designs and appropriate colouring can help reduce the impact of the new infrastructure in certain locations'.

...'sharing sites should always be considered as this reduces the total number of sites/masts required for the network and also minimises the visual intrusion caused by wireless infrastructure. This may involve redeveloping an existing site, including installing a replacement mast that can accommodate additional radio equipment. However, the visual impact of site or mast sharing should be considered in the context of each individual location'.

5.2.23 A balanced approach is sought between the technical needs and constraints of the proposed site and the potential impact of the development (para 26 of the Code of Practice). There are three technical and operational considerations for the installation of sites:

- Coverage – wireless infrastructure needs to provide an appropriate level of coverage over the intended geographical area. This involves ensuring that antennas are elevated sufficiently (often via masts) to provide clear lines of sight for signals.
- Capacity – where existing network infrastructure can no longer meet demand for network capacity in a particular area, additional sites may be required within that coverage area to meet the demand.
- Backhaul – the radio access network requires a connection to the core network. Backhaul is sometimes provided by a microwave link, which requires a clear line of sight between the two ends of the link.

5.2.24 The Code of Practice states that planning authorities should consider these issues and consider the need for a site within a limited search area alongside the public benefit of improved connectivity. In general, it should not, therefore, be appropriate for planning authorities to seek wider evidence of alternative sites (beyond that required by the NPPF), unless they consider the proposed development is unacceptable having regard to the relevant material planning considerations .

5.2.25 The Code seeks to mitigate the visual impacts when possible, such as the use of sympathetic designs, materials and colour to minimise the contrast between infrastructure and the area. The Code of Practice notes there are factors which affect the type of infrastructure that will be deployed including location and the coverage and capacity requirements. Planning authorities should be aware of these constraints when considering proposals. In urban areas, the Code acknowledges that where there is a high level of demand for mobile data, mobile base stations are likely to need to be deployed more densely. In these settings you can expect to see more use of streetwork monopoles.

5.2.26 Paragraph 30 of the Code of Practice notes that equipment cabinets are likely to be needed at most sites. They must be of sufficient size to facilitate hosting various operating equipment whilst also allowing air circulation to reduce the potential for overheating. Paragraph 31 goes on to advise that cabinets should be coloured appropriately to match surrounding street furniture or assimilate with the setting.

5.2.27 In relation to the siting of installations on highways the Code of Practice states that new, upgraded or replacement sites should be sited so that they do not have an adverse impact upon available footway width to maintain unrestricted pedestrian access. New, upgraded or replacement sites should not adversely impact on highway safety or road junctions. They should

comply with visibility and line of sight requirements and should not obscure highway nameplates. Paragraph 35 acknowledges that equipment housing must not obstruct any existing means of entering or leaving land, including avoiding obstruction of existing vehicular or pedestrian access to properties and public or private rights of way.

- 5.2.28** The Code of Practice notes that new ground-based masts will sometimes be required to accommodate the ever-increasing coverage and capacity needs of the country. 4G and 5G are likely to require further network densification in order to meet growing customer demand for data. This is the case in this instance. Where higher frequencies are used, with lower signal propagation characteristics, apparatus will need to be located in closer proximity to user devices. The type of mast deployed will depend upon the location and setting, as well as the coverage requirements of the site. The Code acknowledges that there are many ways by which the potential for environmental and visual impact of a ground-based mast can be reduced.
- 5.2.29** Paragraph 39 advises that all new masts should be sited, so far as practicable, so as to minimise their impact on their setting, including the landscape and any buildings. This includes sitting next to similar structures – e.g., streetworks masts should ideally be sited in line, and in harmony, with existing vertical structures such as lighting columns, to minimise their visual impact. Placing a mast within or adjacent to an existing group of trees, vegetation and other natural features can reduce visual impact. Antennas will, however, need to be sufficiently elevated to clear the treeline.
- 5.2.30** Paragraph 40 relates to colouring and camouflage and states that where appropriate masts should be coloured to match their backdrop to minimise contrast in an urban setting. Streetworks monopoles can utilise design features such as shrouding or banding to protect visual amenity, though, for some 5G infrastructure, camouflage design solutions may not be practicable. Simple designs should be encouraged. Masts which have a complex design are more likely to dominate and be in discord with the landscape and have adverse visual impacts.
- 5.2.31** The Code of Practice states again in paragraph 64 that there are three primary technical and operational considerations for installation of radio base stations which are: ensuring that wireless infrastructure provides an appropriate level of coverage over the intended geographical area; ensuring that sites have sufficient capacity to meet user demand; and, requiring a connection to the wider network ‘backhaul’. Paragraph 65 notes that planning authorities should take account of these constraints on network deployment and siting and design, when considering proposals.
- 5.2.32** Paragraphs 66 and 67 of the Code of Practice set out the 5G network deployment considerations:

'66. With the introduction of 5G, more equipment will be required to provide coverage and capacity. 5G, as well as 4G, are data-driven technologies, and high volumes of data will be transmitted between base stations and wireless devices. 5G will require a denser network of base stations than previous generations, including more fixed line fibre optic cable for reliable and high capacity backhaul. The siting of 5G installations will be more constrained and guided by these special technical and operational considerations.

67. Due to the scale and technological constraints of 5G equipment, in some cases previous camouflage design solutions, such as tree mast designs and concealing antennas in flagpoles, may not be practicable or suitable. In these cases, simple designs with particular attention to colouration and finishes may help reduce visual impacts on a site-specific basis.

5.2.33 Paragraph 69 encourages site sharing. However, it acknowledges that site sharing means that masts must safely accommodate equipment for all technologies (2G-5G) from multiple operators. Existing masts may be required to be strengthened or replaced with a larger, lattice-type structure. This may be desirable and more appropriate in rural areas, but less so in more urban environments, where greater densities of base stations will be required.

5.2.34 Paragraph 72 refers to the area's topography and its impact on the radio signals:

'The physical layout of an area can have a significant impact on how radio signals travel. Radio signals will be blocked when they encounter raised land and therefore need to be transmitted over these areas to provide coverage. The taller the base station, or the higher its position on raised land, the better it can enable a larger area to be covered.'

UK Wireless Infrastructure Strategy – Department for Science, Innovation and Technology (April 2023)

5.2.35 The UK Wireless Infrastructure Strategy issued by the Government in April 2023, and sets out how the Government will deliver world-class digital infrastructure to all Britons over the next decade (see Appendix CTL 9 for relevant extracts of this strategy).

5.2.36 In the foreword by the Secretary of State for Science, Innovation and Technology, Michelle Donelan, acknowledged that:

'...wireless technology has transformed our world almost beyond recognition. Today, radio waves connect communities across the country not just with one another, but with the world thousands of miles beyond our shores, and the satellites hundreds of miles

above our skies.

Connectivity has brought benefits for British households and British business, boosting growth, productivity, and opportunity for all. And change shows no sign of stopping...

5G will be the cornerstone of our digital economy. With higher capacity and lower latency, standalone 5G will drive growth in the industries of today and tomorrow, including in emerging sectors like artificial intelligence where Britain leads the world. Just take smart ports, where 5G-enabled remote operation can help us to move containers more quickly, efficiently, and safely, boosting our international competitiveness. 5G can improve our public services, too, in everything from education to social care. In transport, for example, we can use 5G to power forward progress in everything from real time travel information to augmented reality navigation and self-driving buses and taxis.

This is an incredible opportunity; widespread adoption of 5G could see £159 billion in productivity benefits by 2035.....It is my personal mission as the Department's first Secretary of State to put Britain right at the forefront of scientific and technological progress. By bringing together world-class research and a dynamic business ecosystem, we can harness enterprise and innovation to grow the economy, driving forward the delivery of one of the Prime Minister's five priorities.

To do all this, we need world-class digital infrastructure...we have redoubled our efforts to build gigabit broadband in remote regions like Cornwall or Cumbria, together with our work to extend 4G coverage across the country through the £1 billion Shared Rural Network.

Today, we are setting our sights even higher, with our ambition to deliver nationwide coverage of standalone 5G to all populated areas by 2030, ensuring that we can bring its full benefits to villages and rural communities well beyond cities and towns.

Government will lead by example, putting wireless connectivity right at the heart of new and existing infrastructure to ensure that we do build infrastructure fit for the digital age. 5G will improve the safety, punctuality, and connectivity of our trains. Today, we are announcing that our new hospitals will be 5G or equivalent wireless enabled, enabling us to take advantage of cutting-edge healthcare innovations.

By flying the flag for 5G, government will drive private investment. We are also working with local authorities and businesses to ensure that they are ready for 5G - investing £40 million to create 5G Innovation Regions across the UK and building better markets by boosting competition and creating the conditions for informed consumer choice.

...We will strengthen the infrastructure that underpins these markets, too, by managing spectrum for the benefit of all, driving forward the rapid deployment of mobile networks...

5.2.37 The Minister of State for Digital Infrastructure, Julia Lopez, also highlights the importance of connectivity in her foreword to the UK Wireless Infrastructure Strategy:

'The more our lives are conducted online, the more access to the internet becomes critical for social and economic opportunity.

This is why delivering world-class digital infrastructure to all Britons is a fundamental mission of this government – and our efforts to build it is the modern equivalent in scale and ambition to the Victorian's construction of the railways. Our plan is for every corner of our country to get lightning fast connectivity, not only to give people real choices about where to live and work today but so they will not be left out of future technological revolutions because of poor infrastructure.

...the time is right to turn our sights to mobile connectivity, where the same sense of mission is needed to deliver the kind of wireless infrastructure that will transform how we live our lives and run our economy. This is not simply a matter of improving download speeds as people browse the internet on their phones or dial into work calls. It is far more transformative than that.

The power of 5G and future telecoms advances will unlock new solutions in everything from industry to healthcare. Falling behind in coverage will mean falling behind in international competitiveness when it comes to the technologies of tomorrow, and failing to provide British people with innovative, life-enhancing services on secure, resilient networks'.

5.2.38 The Executive Summary sets out the prime minister's five priorities for this Government –

'...to build a better, more secure, more prosperous future for the UK, including growing the economy, and creating better-paid jobs and opportunity right across the country, which this strategy is focused on delivering.

We can only deliver on that priority with world-class digital infrastructure. Advanced wireless connectivity will be the foundation on which we build industries, jobs, skills and services for the future, and this strategy sets out our plan to harness its potential for our economy and our society.

The next decade will see seismic changes both in terms of what wireless connectivity

can deliver and how we can use it. The economic and social benefits from these changes promise to be vast, from supercharging growth to accelerating our transition to net zero. But we can only realise these benefits with concerted action from government, industry, and others. This strategy sets out our plan to do just that...'

5.2.39 The Strategy indicates why the Government that already has a high bar of digital connectivity, aspires to set it even higher. It notes that 2G and 3G mobile networks opened up a new realm of connectivity and mobile communication, but these legacy technologies are being phased out over the course of the next decade to free up spectrum for next generation networks and remove barriers to new companies entering the telecoms supply chain.

5.2.40 The Strategy goes on to acknowledge that:

'4G revolutionised the way people use their mobile phones, supporting access to bandwidth hungry content on platforms like YouTube. Today, a 4G mobile phone can process data four times as fast as a 2G equivalent at the turn of the millennium.

By building world-class, secure digital infrastructure networks, we can realise the vision we set out in our Digital Strategy for a competitive and innovative digital economy, support our vision for new technologies like that set out in the AI Regulation White Paper and deliver on our commitment to grow the economy.

underpinning other new technologies - the next decade will see the development and maturation of transformative technologies from AI and self-driving vehicles to digital twins, which will drive demand for advanced wireless connectivity. Our £200 million 5G Testbeds and Trials Programme invested in a wide range of projects from testing healthcare applications in Liverpool to delivering 5G music lessons between Bristol and London to help build the business case for investment in 5G applications. But this is only the beginning.

transforming public services - there are also significant benefits for improving our public services, supporting smart cities which are cleaner and less congested and delivering connectivity to our schools and hospitals that will provide better, more interactive lessons and personalised healthcare.

By transforming our economy, widespread adoption of 5G can bring a cumulative productivity benefit of £159 billion by 2035, driving growth and inward investment, and improving lives for communities in every corner of the country. By ensuring that everyone can access the technology they need, including through specific support for

rural economies by enabling applications such as agritech, we can make it as easy to start and scale up a digital business in rural Yorkshire as it is in central London.

- 5.2.41** The strategy sets out how the UK will maximise the potential of advanced wireless networks over the next decade securing international competitiveness for the future and driving economic growth across the UK. Given the substantial potential that 5G offers for businesses and public services delivery the Government wants to move beyond the basic 5G that is being deployed now over 4G networks to build higher quality, standalone 5G networks that do not rely on older infrastructure. The Government also wants to extend 5G coverage well beyond cities and towns to all populated areas of the UK, including rural villages and communities.
- 5.2.42** To drive good connectivity for all the Government is taking action on reporting. It has asked Ofcom to continue to hold the mobile network operators to account through on-the-ground signal testing and to improve the accuracy of its coverage reporting through increased use of crowdsourced data. It has also asked Ofcom to consider how it can improve the accuracy of reporting of network performance levels in rural areas and for indoor coverage, to help policy makers and industry understand where coverage improvements are needed.
- 5.2.43** Chapter 2 of the UK Wireless Infrastructure Strategy relates to ensuring good connectivity across rural and urban areas. It states that:

‘The government’s priority to build a better, more secure, more prosperous future for the UK includes a clear commitment to grow the economy, and create better-paid jobs and opportunity right across the country. To do this, it is vital that people who live and work in all parts of the UK, including in rural areas, have access to good quality mobile and broadband coverage’.

- 5.2.44** The strategy acknowledges that wireless connectivity can play a crucial role in delivering fixed broadband to the hardest to reach areas of the country. It goes on to note that world-class digital infrastructure underpins the digital economy and is worth £143 billion in 2021 accounting for 5% of the national workforce. This infrastructure provides the backbone of the UK economy and society with ever more jobs, public services and societal interactions built upon its foundations. As growth in the digital sector is nearly six times faster than across the economy as a whole, its importance will only continue to increase as the Prime Minister’s priority to grow the economy is delivered. 4G technology revolutionised the way people use their mobile phones. We have seen the growth of streaming services, like Netflix and Spotify, and gained constant access to high quality, user-produced content for free on platforms such as YouTube, transformed the way we shop on line, travel around cities access to apps like Uber and use public services such as

booking NHS appointments through apps. According to Ofcom's Communications Market Report, there are already close to 100 million mobile subscriptions in the UK, and a significant and growing number of machine-to-machine subscriptions.

5.2.45 The UK Wireless Infrastructure Strategy notes the far reaching benefits of 5G:

'5G can offer significantly better performance and support a far greater range of use cases. 5G enables data transfer speeds of more than 10 times faster than 4G, has the potential to offer lower latency and greater reliability and the ability to connect more devices. The implications of these improvements reach far beyond the potential to develop the capabilities of smartphones, enabling an array of innovative use cases and providing for transformative economic, and social benefits that were perhaps unimaginable a decade ago'.

5.2.46 The Strategy goes on to note that 5G can be a critical enabling technology. It can help increase productivity and efficiency by driving autonomous machines, enabling asset tracking and predictive maintenance and increasing the lifespan of machinery. In the public sector, 5G can support remote healthcare monitoring and smart city applications.

5.2.47 Research commissioned by the Government estimated that:

'if adopted at scale, 5G could enable productivity gains that add £159 billion in cumulative GVA between now and 2035, reflecting a potential annual GVA increase of £37 billion by 2035. 5G can transform public services and grow the economy, making factories and work places more productive and creating better paid jobs, delivering on this government's key priorities. 5G is also a foundational technology for other technologies, including augmented and virtual reality which could potentially increase UK GDP by £62.5 billion by 2030'.

5.2.48 The Strategy acknowledges that realising these benefits relies on the UK's wireless network providers investing in high-quality public 5G networks and private networks utilising 5G and other advanced wireless technologies such as WiFi 6 and 7.

Conclusion

5.2.49 At the heart of the National Planning Framework is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved without delay.

5.2.50 The National Planning Policy Framework acknowledges that advanced, high quality and reliable

communications infrastructure is essential for sustainable economic growth and social well-being. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and the social benefits. Therefore, significant weight should be placed on the need to support economic growth and social well-being through the planning system. Planning policies should recognise and seek to address potential barriers to investment, including any lack of infrastructure.

- 5.2.51** The development of high-speed broadband technology and other communications networks plays a vital role in enhancing the provision of local community facilities and services. As such, the Government strongly encourages local planning authorities to support the expansion of electronic communications networks and next generation mobile technology including 5G.
- 5.2.52** The Government aims to limit visual intrusion through keeping the number of radio and telecommunications masts to a minimum. Where new sites are required (such as for new 5G networks) equipment should be sympathetically designed and camouflaged where appropriate.
- 5.2.53** The Government provides clear advice to decision-takers at every level stating that they should seek to approve applications for sustainable development where possible. Local planning authorities should also work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
- 5.2.54** The new Code of Practice replaces the previous Code of Practice, and in full conformity with the NPPF and Government aspirations continues to support the development of mobile coverage wherever it is needed. The Code acknowledges that digital connectivity is vital to enable people to stay connected and businesses to grow. Fast, reliable digital connectivity can deliver economic, social and well-being benefits for the whole of the UK. The Code notes that as the demand for mobile data in the UK is increasing rapidly, it is important that everyone has access to dependable and consistent mobile coverage where they live, work and travel.
- 5.2.55** The Code highlights that all wireless network installations are principally guided by the technical need for the site and the technical constraints placed upon transmitting a signal. The siting and design of such installations must therefore be balanced between visual impact and these needs and constraints. These issues should be considered alongside the public benefit of improved connectivity.

- 5.2.56** The UK Wireless Infrastructure Strategy sets out how Government will deliver world-class digital infrastructure to all Britons over the next decade. The plan is for every corner of the UK to get lightning fast connectivity, not only to give people real choices about where to live and work today, but so that they will not be left out of future technological revolutions because of poor infrastructure.
- 5.2.57** The Wireless Infrastructure Strategy acknowledges that falling behind in coverage will mean falling behind in competitiveness when it comes to the technologies of tomorrow, and failing to provide British people with innovative, life-enhancing services on secure, resilient networks. The Strategy notes that 5G will be the cornerstone of our digital economy.
- 5.2.58** The Strategy acknowledges that advanced wireless connectivity (world class digital infrastructure) is the foundation on which we build industries, jobs, skills and services for the future. Wireless connectivity supercharges growth to accelerating the UK transition to net zero.

6.0 THE DEVELOPMENT PLAN

6.1 Introduction

- 6.1.1** Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.
- 6.1.2** The statutory development plan as defined by the Planning and Compulsory Purchase Act 2004 comprises the Rochdale Unitary Development Plan and Rochdale Core Strategy.

6.2 Rochdale Unitary Development Plan Policies (Adopted 2006)

- 6.2.1** The Rochdale Unitary Development Plan (Rochdale UDP) was adopted on June 2006 and forms the development plan. It is the basis for decisions on land use planning in Rochdale. The Rochdale UDP is used by the Council to guide future use of land and buildings as well as manage development (see Appendix CTL 10 for relevant extracts of Rochdale UDP), providing a basis by which planning applications will be determined.
- 6.2.2** The Rochdale UDP does contain policies which relate to telecommunications. However, this policy is now outdated as the UDP was initially implemented for use up to 2016. The UDP is still in place until the Allocations Development Plan is adopted.
- 6.2.3** The most relevant policy relating to this proposed radio base station is CF/6 – Telecommunications.

“Applications for planning permission or for prior approval (as required under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995) for telecommunications masts, satellite and terrestrial microwave antennae on masts, and satellite and terrestrial microwave antennae on a building or structure will be permitted where the following requirements are met:

a) In the case of satellite and terrestrial microwave antennae on a building or structure the equipment is not detrimental to the character and design of the building or structure, to the character of the local street scene or to the visual amenity of the area.

b) In the case of telecommunications masts the development is not detrimental to the character and appearance of the local street scene or the visual amenity of the area.

c) The opportunity is taken to share sites or erect telecommunications equipment on an existing mast, building or other structure, unless this would be unacceptable in terms of increased height or visual clutter.

d) An applicant provides evidence of compliance with the Government guidelines on health impact of telecommunication use.

e) The equipment is sited and designed so as to minimise its visual impact subject to technical and operational considerations; and

f) The operator removes any apparatus when it becomes redundant.

The Council will use conditions and, where necessary, legal agreements to secure the above'.

6.3 Rochdale Core Strategy (Adopted October 2016)

6.3.1 The Core Strategy was adopted on October 2016 and sets out the long-term spatial strategy for future development, see Appendix CTL 11 for relevant extracts of Rochdale Core Strategy. The Core Strategy sets the overall direction of growth and development and all other Local Plan documents will need to conform with it.

6.3.2 There are no specific policies relating to telecommunications in the Core Strategy. The Council has refused the application on a more general Core Policies, Policies P1, P3 and DM1. Policy P1 relates to improving the image of the borough and high quality design:

'a. Requiring design which is of a high standard, demonstrating innovation and originality;

b. Working with developers of major developments to incorporate public art in the design of buildings and spaces or contribute to public art projects as appropriate;

c. Helping to 'green' the urban environment, for example by securing tree planting on sites and along streets and roads;

d. Promoting the development and re-use of under-used land and buildings, maximising the potential for heritage assets to provide a sense of place and image; and

e. Creating people-friendly, safe, vibrant, uncluttered public areas'.

6.3.3 Core Policy P3 relates to improving design of new developments. The policy requires for all new developments to adhere to high standards of design in the area where it is located. It should

enhance the boroughs identity and sense of place by having regard to:

'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'

6.3.4 Similarly, Core Policy DM1 relates to all development and it must take into account all relevant policies within the Local Plan. The Policy is similar to Policy P1 and P3 as all developments will be expected to demonstrate:

'a. Are of high quality design and take the opportunity to enhance the quality of the area;

b. Are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users;

c. Do not adversely affect the amenity of residents or users through visual intrusion, overbearing impact, overshadowing or loss of privacy'.

6.3.5 The Core Strategy promotes sustainable development as the Core Strategy is centred around delivering and supporting sustainable development. The Core Strategy promotes sustainable development as it should deliver economic, social and environmental objectives in an integrated and balanced way. Core Policy SD1 states:

'When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the*

National Planning Policy Framework taken as a whole; or

- *Specific policies in the National Planning Policy Framework indicate that development should be restricted’.*

6.4 Places for Everyone Joint Development Plan (Adopted March 2024)

6.4.1 The Places for Everyone Joint Development Plan is a collective agreement and plan between Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan. It was formally adopted in March 2024 by all local planning authorities in the Greater Manchester region (see Appendix CTL 12 for relevant extracts).

6.4.2 In 2019 Greater Manchester set out bold plans to give people, communities and businesses hope and confidence for the future. However, the impact of Covid 19 has had a on the way people live and work over the shorter term with a high degree of uncertainty over its impact in the long term. In response the Government has been very clear that we need to positively plan for recovery. The Government first made commitments to supporting economic recovery in mid-2020, for example with the Prime Minister's Build, Build, Build announcement at the end of June 2020 setting a context for England as recovered from Covid-19.

6.4.3 The vision is to capitalise on the opportunities which were brought about the recent pandemic... the borough need to be places where people have access to the services they require through high quality digital communications.

6.4.4 The Places for Everyone Joint Development Plan provides an important opportunity to create the conditions for inclusive economic growth.

6.4.5 By the end of the Plan period, Greater Manchester aims to be a top global city. To do this it will require a range of attributes, including a strong economy, skills residents, a high quality of place and the environment, and a diverse portfolio of investment and development opportunities.

6.4.6 The vision for Greater Manchester is set out in the Greater Manchester Strategy:

‘Our vision is to make Greater Manchester one of the best places in the world to grow up, get on and grow old:

- *A place where all children are given the best start in life and young people grow up inspired to exceed expectations.*
- *A place where people are proud to live, with a decent home, a fulfilling job, and stress-free journeys the norm. But if you need a helping hand, you’ll get it.*

- *A place of ideas and invention, with a modern and productive economy that draws in investment, visitors and talent.*
- *A place where people live healthy lives and older people are valued.*
- *A place at the forefront of action on climate change with clean air and a flourishing natural environment.*
- *A place where all voices are heard and where, working together, we can shape our future'*

6.4.7 To meet the vision, the plan sets out 10 objectives. The most relevant to telecommunications are below:

Objective 6: Promote the sustainable movement of people, goods and information

- *Ensure new development provides opportunities for affordable, high quality digital infrastructure.*

Objective 7: Playing our part in ensuring that Greater Manchester is a more resilient and carbon neutral city-region

- *Promote sustainable patterns of development that minimise the need to travel and contribute to cleaner air;*
- *Locate and design development to reduce car dependency.*

Objective 9: Ensure access to physical and social infrastructure.

- *Ensure that our communities and businesses are supported by infrastructure;*
- *Improve the capacity and network coverage of digital, energy, telecoms, transport and water in key growth locations.*

6.4.8 Policy JP-S1 refers to sustainable development

'To help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives'.

6.4.9 Policy JP-S1 refers to Sustainable Places and is referenced for all development. Key attributes should be consistent with:

'1. Distinctive, with a clear identity that:

A. Conserves and Distinctive, with a clear identity that: Distinctive, with a clear identity that: A enhances the natural environment, landscape features, historic environment and local history and culture;

B. Enables a clear understanding of how the place has developed; and

C. Respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used'

5. Adaptable, able to respond easily to varied and changing needs and technologies

14. Well-connected to other places, particularly by public transport and digital infrastructure enabling everyone to take advantage of the employment, cultural and leisure opportunities across Greater Manchester and beyond'.

6.4.10 Chapter 10 of the Places for Everyone Joint Development Plan document details how the Greater Manchester region will become more connected and integrated.

6.4.11 Para 10.3 directly states that digital connectivity is growing in everyday life. The use of being able to be digitally connected allows people to connect with people wherever they are and access to a range of learning, employment and retail opportunities.

6.4.12 Para 10.21 acknowledges the rise in digital demand and the continuous of the demand is likely to continue. The area is to become "smarter" with services to adopted innovations such as connected and autonomous vehicles, artificial intelligence and the Internet of Things (where an increasing range of everyday devices are connected, monitored and operated via the internet). It is the Greater Manchester ambition to be the UK's leading digital city and one of Europe's top five.

6.4.13 Policy JP-C1: An Integrated Network outlines how Greater Manchester will meet its low carbon emissions target through world-class connectivity. This includes a range of measures:

1. Delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services, including healthcare, education, retail, recreation and leisure facilities, green space and green infrastructure;

2. Enabling the provision of high quality digital infrastructure'.

6.4.14 Chapter 10 goes further to reference the importance of digital connectivity. Paragraph 10.29 refers to the opportunities that digital connectivity can bring are unprecedented and everyone should have the opportunity to access them so they can fully participate in society and the economy.

6.4.15 Paragraph 10.30 notes a global city requires digital infrastructure to be competitive and support high levels of social inclusion:

‘Any truly global city will need to have widespread, affordable, reliable, secure and future-proofed digital infrastructure that provides a competitive edge for businesses and supports high-levels of social inclusion. This will be essential to capitalise on new innovations, such as artificial intelligence, the Internet of Things and connected and autonomous vehicles. Big data will also enable the city-region to be managed more effectively. By facilitating more home-working, good digital infrastructure can also help reduce the need for travel and therefore help reduce carbon emissions, traffic congestion and air pollution’.

6.4.16 Paragraph 10.33 recognises the growth and development that digital infrastructure and capability goes through. The evolution of digital connectivity through next generation technology has increased and so has the speed that it evolves. Digital infrastructure is therefore needed to adapt and evolve.

6.4.17 The plan directly supports the provision of affordable, high quality, digital infrastructure with Policy JP-C2 digital connectivity. In making decisions the plan supports a range of measures, including:

‘1. Enabling the roll-out of latest generation mobile technology and full fibre to the premises connectivity, in a way that maximises coverage whilst protecting townscape quality and ensuring an ability to respond to updated / changing technology’.

6.5 Greater Manchester Local Industrial Strategy (Adopted June 2019)

6.5.1 This Local Industrial Strategy sets out how Greater Manchester (GM) will forge its future. It states that it will build on GM’s position as a ‘leading European digital city-region; enable the digitalisation of all sectors; and capitalise on the links between digital and creative industries that feed internationally significant clusters in broadcasting, content creation and media, and maximise growing assets in cyber security.

6.5.2 It aims to put in place the integrated 21st century infrastructure needed for digital driven, clean and inclusive growth.

- 6.5.3** A top 5 city-region for the digital economy in Europe, with full fibre broadband and 5G coverage.
- 6.5.4** The Strategy states that GM will take a ‘Made Smarter’ approach to all industries, supporting firms to adopt new digital and creative techniques and enabling the digitalisation of all sectors.
- 6.5.5** The strategy has a specific section relating to infrastructure and acknowledges its importance:
- “...The city-region now aims to upgrade, integrate and future-proof its infrastructure, to create a 21st century city-region with extreme digital connectivity, clean and inclusive growth and – through work with others – improved access to national and global markets.
- Existing partnerships are working to improve digital infrastructure in the city-region to meet national targets of roll out of 5G technologies for most people by 2027’.
- 6.5.6** The Local Industrial Strategy sets out an objective to ensure the vision for infrastructure is met:
- ‘World-class connectivity – digitally and through an integrated transport network within all parts of GM’.*
- 6.5.7** To achieve the ambitions of the GM Local Industrial Strategy it identifies actions around 5 foundations of productivity: Infrastructure, Ideas, People, Business Environment and Places. These are noted as being essential attributes of every successful economy. It also identifies opportunities grouped under 4 Grand Challenges – Artificial Intelligence and Data, the Ageing Society, Future Mobility and Clean Growth.
- 6.5.8** The Vision for the Digital, Creative and Media is set out in the Local Industrial Strategy and reproduced below:
- ‘GM will be a leading European digital City-Region, with the infrastructure, skills and networks needed to digitise all sectors, and internationally significant clusters in broadcasting, content creation and media and cyber security’.*
- 6.5.9** To help meet the vision the strategy states that GM will continue to transform the digital connectivity of the city-region to drive economic growth and innovation, working with Government to meet national targets of full roll-out of 5G technologies for most people by 2027.
- 6.5.10** The Local Industrial Strategy acknowledges that GM will aim to become one of the best digitally connected city-regions in the UK. It fully supports the development of 5G networks. See Appendix CTL 13 for the relevant extracts of this Local Industrial Strategy.

6.6 Greater Manchester Strategy 2021 – 2031

6.6.1 The foreword to this Strategy states:

'This Strategy sets out the clear outcomes and commitments to be delivered. We will use these to further our relationship with central Government, investors and collaborators, providing a platform for our future and how we would like to work in partnership to achieve our shared vision. Through this Strategy we provide a clear line of sight between our priorities, the ways we work, and how we deliver to support residents, places and businesses in meeting their needs, and ensuring our services are responsive to the lived experience of Greater Manchester's citizens. We will maximise opportunities and be responsive to fiscal events, ensuring available resources, flexibilities and accountabilities are aligned and delivering in support of our vision.'

6.6.2 Greater Manchester is aiming to become a world leading digital city by 2031. Greater Manchester plays a fundamental role in driving economic growth.

6.6.3 The Strategy notes that in terms of mobile internet, despite good public Wi-Fi coverage in most public buildings across Greater Manchester, and on Metrolink and many buses, Wi-Fi provision is patchy in public places and there are still barriers to access (registration requirements and cost) in many parts of Greater Manchester.

6.6.4 The Strategy also acknowledges that digital exclusion is closely linked with social exclusion.

6.6.5 The Strategy states that the connectivity which Greater Manchester requires is to increase average mobile and fixed broadband internet speeds and aims to improve call and mobile coverage including securing a national 5G test bed status thus positioning Greater Manchester at the forefront of next generation 5G mobile. See Appendix CTL 14 for relevant extracts of this Strategy.

6.7 Greater Manchester Digital Blueprint 2023 – 2026 (adopted February 2020 and refreshed May 2023)

6.7.1 The GM Digital Blueprint (see Appendix CTL 15 for extracts) builds on the Greater Manchester Strategy. It states that this blueprint sets out the next chapter in Greater Manchester's ambition to be recognised as a world-leading digital city region, with an ongoing commitment to taking an open, innovative and connective approach to delivering that ambition.

6.7.2 The Blueprint states that Greater Manchester remains committed to being a digital city-region. The ambition is still for Greater Manchester to be a top 5 European Digital City-Region and recognised globally for its digital innovation. Benefitting from top level physical infrastructure, and a highly skilled, ready-to-go digital workforce.

6.7.3 The Blueprint goes on to say that this is the place that does digital differently.

“We want our citizens’ lives to be bettered, and for them to be empowered by the myriad of opportunities a digitally fuelled city-region provides’.

6.7.4 The Blueprint for Greater Manchester digital sets 5 priorities for the 2023 -2026 period:

...’investing heavily in digital infrastructure, connectivity and transport offering breadth and depth of expertise across digital and creative services, e commerce, technology, hardware and software.

We’re creating a digital place where innovators from across the globe want to tap into and a place where businesses already here can thrive’.

6.7.5 Home to the largest digital and creative cluster outside of London. The digital, creative and tech sectors are the fastest growing sector within the city-region with almost £5bn of economic activity with new high-value jobs being created each year.

6.7.6 The Greater Manchester City-Region is the best place in the UK for IT Pros to live and work.

6.7.7 The digital priorities are set out as follows:

- Empowering people and communities:
 - *‘We want to ensure that everyone in Greater Manchester, whatever their age, location or situation, can benefit from the opportunities digital brings’.*
- Building responsive, data driven public services:
 - *‘We want to apply exemplar digital ideas and practice to delivering public services in Greater Manchester, linking innovative business, academic and public sector thinking with the needs of Greater Manchester’s people’.*
- Digitally enabling a resilient and prosperous economy:
 - *‘Businesses of all sizes should have the means and skills to digitise their business and make the most of the opportunities that brings’.*

- Creating connected, inclusive, sustainable places:
 - *'We're encouraging and supporting businesses to start, grow or move to Greater Manchester, recognising the importance of the continued expansion of our digital, creative and tech sector and the opportunities this brings for our people'.*
- Being a global digital influencer:
 - *'Greater Manchester is taking its position as an internationally recognised centre of digital innovation, research and practice'.*

6.7.8 The Blueprint acknowledges that Greater Manchester is leading the way on 5G and:

'Greater Manchester is at the forefront of 5G rollout in the UK through collaboration with telecoms partners, local authorities and the main property holders. Our aim is to continue to be.'

6.8 Greater Manchester Infrastructure Framework 2040 (GMCA)

6.8.1 This is a pre-cursor to the GM Infrastructure Strategy. The aim is to focus on developing infrastructure which ultimately improves the lives of all those living and working within Greater Manchester. See Appendix CTL 16 for relevant extracts to this Framework.

6.8.2 The Infrastructure Framework acknowledges a number of key challenges, one of which is digital and the need to provide pervasive, affordable, resilient digital connectivity. The Framework notes that *'Digital technology is increasingly the backbone of the major industries and our daily lives'*.

6.8.3 The Framework goes on to state that approaching 2040, GM will need to be a Smart and digitally ready City Region. To achieve this, and support on-going digitalisation, the region will require resilient fixed connectivity (through fixed fibre) supported by 5G (and subsequent technologies). It will also need to streamline the process for installation of new infrastructure within the street space.

6.8.4 The Framework notes the vision for the GM Infrastructure Strategy:

'Develop and maintain a holistic infrastructure system that is robust, accommodates sustainable growth and supports the ambitions of the Greater Manchester Strategy to make "Greater Manchester one of the best places in the world to grow up, get on and grow old".'

The Greater Manchester Infrastructure Strategy should seek to:

- *Support the lives and well-being of people, communities and the environment within Greater Manchester.*
- *Be age-friendly and support the economic and social participation of both young and old.*
- *Support strategically identified growth for parts and communities within Greater Manchester.*
- *Be flexible, robust and meet the existing and future needs of the communities and technological change.*
- *Provide world-class connections and access to opportunity for all.*
- *Provide world-class digital infrastructure which provides a platform for GM to embrace emerging technological and societal changes.*
- *Support a carbon-neutral GM and be economically, environmentally and socially sustainable.*

6.8.5 The Framework identifies a key infrastructure trend to 2040 as Digital (Telecommunications Operators) including mobile infrastructure:

- As the population and employment is due to rise:
 - more people will mean more homes and businesses, and more consumers of digital services.
 - There will be a growing demand for high-speed, resilient data connectivity to facilitate changing patterns such as shopping patterns moving online, whilst flexible working becomes more prevalent.
- Changing workforce:
 - More productive, higher skilled, higher paid jobs more specialised and skill activities needs digital infrastructure to support higher skilled industries – which may require increased digital infrastructure.
- Environmental Change:
 - Improving efficiencies of buildings and appliances. The use of smarter

technologies within each infrastructure sector will look to improve efficiencies further.

6.8.6 The Framework comments on digitalisation noting the importance of it and how it has transformed the way in which we go about our everyday lives:

'We are living in an increasingly digital world. ...technologies that are visionary today rapidly become part of everyday life tomorrow. In turn, people's expectations are rising constantly. "Digital" now encompasses an increasing array of technologies, from sensors, smartphones and robots, to augmented reality, cloud computing and data analytics. These technologies are changing the way in which we live and places we live in. Digital technologies are being used to make cities more smooth running, more productive, and more democratic. The pervasiveness of digital technology in our lives represents a major change. For these technologies to function effectively, it is fundamental that a robust and diverse underpinning infrastructure is installed that ensures a future-proofed platform for the development of these and many new technologies for years to come.'

As our homes, businesses and cities become more reliant on digital technology to function the robustness of these systems becomes even more critical'.

6.8.7 'Future digital infrastructure will need to be supported by 5G and beyond' the Framework acknowledges.

6.8.8 The Framework states that 'anyone in GM should be able to access resilient, seamless connectivity at a speed they need anywhere and anytime'.

- New technologies, artificial intelligence and atomisation:
 - Improvements in artificial intelligence and atomisation technologies will transform infrastructure sectors and business markets.
 - Digital infrastructure will be crucial to supporting future technology and a Smart City Region.
 - Embracing digital technology throughout all sectors, geographies and occupations is fundamental to GM's current and future international competitiveness.

6.8.9 The Framework acknowledges that the vision of moving to a smart and digitally-ready city-region requires future digital infrastructure to be strong fixed resilient connectivity, supported by 5G (and

beyond), big data systems and other nascent technologies such as Artificial Intelligence and machine learning. Without connectivity it is acknowledged that processing the sheer volumes of data necessary to create a network of communicating devices will be impossible. As such, the Framework states that big improvements are required to increase the provision of wired and wireless (through 5G or subsequent technologies and Wi-Fi provision) across GM. Without the more basic technology solutions (such as passive fibre connectivity and 5G) the smart-region solutions and value-added outcomes will struggle to be brought to fruition.

- 6.8.10** The Framework notes that 5G roll out is expected from 2020. However, the timing and costs of roll out is uncertain and international standards have yet to be agreed. It is possible that there will only be one network upon which providers deliver their services or that each provider might need to invest.
- 6.8.11** With regards to the Regional Centre if Challenge 8 is to be met to provide pervasive, affordable, resilient digital connectivity the challenge is **early roll out of 5G especially in areas where mobile data use is congested such as the Regional Centre** (emphasis added).
- 6.8.12** The Framework also states that GMCA and the Districts together with digital and telecommunication providers need to drive forward opportunities to promote connectivity and uptake in the Regional Centre.

7.0 PLANNING ISSUES

7.1.1 The main issues arising from this planning appeal is whether the proposed development would have an adverse impact on local amenity and the character of the surrounding area and whether the monopole and associated equipment cabinets would be incongruous and dominant feature within the streetscene, that would result in excessive clutter detrimentally affecting visual amenity and the spatial character of the location. Another primary consideration is whether the perceived harm would outweigh the significant social and economic benefits associated with the provision of the latest 4G and new 5G services attributed to the proposal and other valid material considerations as outlined within NPPF, Rochdale Unitary Development Plan, Rochdale Core Strategy, Places for Everyone Joint Development Plan, Greater Manchester Local Industrial Strategy, Greater Manchester Strategy 2021 – 2031, Greater Manchester Infrastructure Framework 2040 and the UK Wireless Infrastructure Strategy. Another important consideration is whether there are any alternative options which would provide similar coverage without affecting visual amenity with a justification as to why these are not able to be used.

7.1.2 The principle of development has been established by the Government when the current permitted development rights came into force in November 2016, which enabled sites such as this one to be built under the operators permitted development rights, (as the column height does not exceed 20m), with prior approval for siting and appearance being the only matters that the local planning authority can take in to consideration. The application relates to a matter concerning prior approval for the column only. The equipment cabinets can be installed under the operators permitted development rights once the column is in situ.

7.1.3 Planning Practice Guidance explains how a prior approval application differs from a planning application at paragraph 28. It states that:

‘The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established (emphasis added). Where no specific procedure is provided in the General Permitted Development Order, local planning authorities have discretion on what processes they put in place. It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system’ (emphasis added).

7.1.4 The Planning Portal also provides Application Type Guidance. This guidance states that:

‘Certain forms of telecommunication development, for example, mobile telephone

masts, are known as 'permitted development' and subject to prior approval from the local planning authority. The prior approval procedure means that the principle of development is not an issue. The LPA can only consider the siting and appearance of the proposal'.

- 7.1.5** It is therefore clear that prior approval applications are not applications for planning permission but a light-touch process which does not seek to replicate the planning application system.

Siting

- 7.1.6** The Council's reason for refusal (See Appendix CTL 6) relates to concerns regarding the appeal proposal's perceived impact upon character of the surrounding area being incongruous and dominant feature within the streetscene.

- 7.1.7** The delegated report refers to the use of the NPPF to inform their decision making for telecommunications as the Rochdale Core Strategy does not contain any telecommunication specific policy. The delegated report acknowledges the importance of advanced digital technology:

'...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 communications networks'.

- 7.2** The appeal site location has been chosen to support this Government policy. There is currently a hole in coverage for this operator as can be seen in the coverage plots (See Appendix CTL 2 for evidence). The proposed location will fill this hole in coverage and provide new 5G technology to the Top of Hebers area. Cornerstone requires new 5G to be installed into its network in this cell area. The existing installation at 157-171 Windermere Road is not designed to be able to support both operators (Vodafone and VMO2's 5G antennas) without being radically redesigned and replaced with a much bulkier and bigger structure. Therefore, a replacement site subject of this appeal is required for VMO2 to provide equivalent 2G, 3G service provision, enhanced 4G and new 5G technology in the cell area.

- 7.2.1** The delegated report in the same paragraph then references the Rochdale Core Strategy Policy DM1, General Development Requirements:

'...However Policy DM1 states that proposals should be compatible with the surrounding land uses and not adversely affect the amenity of residents or users through visual intrusion overbearing impact, overshadowing or loss of privacy'.

7.2.2 The council have only stated Policy DM1 and has not gone into detail on how the appellant is not in conformity of the Policy. The proposed radio base station will not cause an overbearing, overshadowing or loss of privacy in the area. The site is situated near to residential properties, however these are angled 90 degrees away from the proposed site. There are no windows on the gable end of the closest residential properties that will be able to view the site. The residential properties above the parade of shops are located circa 44m away from the proposed site. Hollin Lane, a busy main road, provides sufficient separation distance from the properties, along with the other street furniture in the area that will help the mast to be visually absorbed into the setting.

7.2.3 In October 2021, an appeal was allowed in a similarly densely developed residential area in Birmingham, Weoley Castle Road for the installation of a 17.5m monopole supporting 6 no. antennas (appeal ref: APP/P4605/W/21/3278859 see Appendix CTL 17 decision notice and plans). The site was located much closer to the residential flats located above the parade of shops. The inspector found there would not be an unacceptable overbearing effect or obstruction of the views from the properties, paragraph 12 of the decision states:

'Front windows in No 179 serve a first floor residential flat and would allow direct sight of the column from inside the apartment. In these regards, the proposal would go against the advice to avoid telecommunications development in front of habitable room windows as set out in the Council's Telecommunications Development: Mobile Phone Infrastructure Supplementary Planning Document 2008. Nonetheless, the scheme would be positioned away from No 179 and closer to the road. While it would extend significantly above the windows, the column would avoid an unacceptable overbearing effect or obstruction to views by virtue of its narrowness and separation from No 179'.

7.2.4 In contrast, this appeal location is located much further away from the residential flats and situated near to the roadside. There is a greater separation distance from pole to the residential flats. The mast will be located circa 43m away from the nearest apartment that would have a view of the site, with Hollin Lane providing a separation to the site. Similarly to the appeal decision, there are other vertical elements of street furniture in the area which will help the mast blend in with its surrounds. The property located directly adjacent to the appeal location has no primary windows on the gable end of the property which would view the site, with the rear garden being located circa 2m behind the monopole. Therefore, there will not be any overbearing, overshadowing or loss of privacy of the residential amenity for nearby occupiers.

7.2.5 The delegated report goes on to reference Policy P1 of the Rochdale Core Strategy which refers to high quality design for all new development and Policy P3, similarly refers to improving design

of new development:

'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 boroughs 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'.

- 7.2.6** This is a general design policy and does not take into account the technical design constraints the operator is up against. The design of the monopole is similar to the other elements of street furniture, such as lighting columns, telegraph poles and traffic lights, all of which are slimline in nature. The proposed monopole has a simple and slimline design which would not attract attention any greater than the existing masts. It would not obstruct any notable view and its presence would be softened by its light grey finish, unless the Council or the Inspector prefers for it to be painted another colour. As such it would appear as functional infrastructure. The lower section of the mast would be seen amongst similar vertical elements of the street scene while the top section would, for many times of the year, not stand out when seen against the colour of the sky.
- 7.2.7** Regardless of the above, the Inspector is asked to recognise that the height of the mast is determined taking into account the features of the surrounding land. It is totally unreasonable to expect the mast to be of a comparable height to buildings, lighting columns or trees. The mast is a functional piece of mobile phone infrastructure which, by its very nature, must protrude above clutter for the antennas to work effectively. Occasionally masts are deliberately sited below the roof lines in dense urban settings accommodating tall buildings but this is when there is a requirement for a signal at street level only e.g. to be sent up and down the road and to boost capacity. In this case, the proposed development is required to meet the demand for improved coverage across a wider area and therefore must exceed the height of surrounding clutter in order to be technically and operationally fit for purpose. If the height of the mast is below the surrounding build form, this blocks the signal from the antennas and defeats the objective of reliable coverage as is the case in this proposal.
- 7.2.8** The proposed height of the column at 20m is the absolute minimum to cover the target area with 5G technology, otherwise the installation would not work effectively. 5G technology uses high frequency which is more prone to signal blocking and does not travel as far as lower frequencies used for 2G/3G/4G services. Consequently, as part of 5G roll out, all four mobile phone operators need to pursue with much higher masts. To address the specific needs of 5G technology, the

NPPF was changed and the permitted development height limits were increased from the well-established 15m to 20m/25m for a ground based mast. The Government does not find the speed of 5G roll-out satisfactory and therefore proposes further relaxation of the permitted development limits to address this issue, especially as a great number of proposals are being refused. If it was possible to reduce the height of the mast at the appeal site, the appellants would have done so.

7.2.9 The operator has permitted development rights to install a new mast on a highway up to 25m. However, the operator has not maxed out their ability to utilise the permitted development rights of going up 25m in height.

7.2.10 The case officer has failed to understand the design and height requirements for the operator to cover the area with new 5G coverage. The delegated report goes onto reference Paragraph 130 of the NPPF:

'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'.

7.2.11 Paragraph 130 of the NPPF relates to increasing density within residential development and built form being out of character for the area, therefore not applicable to this appeal. As mentioned above the operator has various design constraints that limit the operators choice of design. Hence why there is a specific section in the NPPF covering high quality communications. The site's location has been carefully chosen whereby there was a previously similarly designed monopole situated here, within the residential break in the area and a plethora of street furniture for the monopole to blend in with.

7.2.12 As mentioned in paragraph 3.6-3.64, a previous communications monopole was located in this location after an appeal was allowed for a 12.5m monopole. The design of the monopole was similar in regards it was a slimline monopole with antennas located at the top. The Inspector agreed in principle that a telecommunications installation in this location was appropriate. However, the monopole was only removed in order to consolidate the number of masts in the area. With improvements in technology and increases in the number of users the operator has seen, the existing shared mast at Windermere Road is no longer viable for both operators to use. Therefore, the operator is seeking to continually provide 2G, 3G and 4G coverage and new 5G service provision to this area, where there was previously a monopole of a similar design in the past.

- 7.2.13** The proposed telecommunications equipment would be located adjacent to the bus stop shelter, set against a backdrop of semi-mature trees of which some rise to 13m in height and bushes. There are residential properties to the north of the site that are orientated 90 degrees away from the site. To this end, the proposed location is the most suitable, as when looking towards the proposed site from Langley Lane and either direction of Hollin Lane the site will be seen in line with other vertical street furniture elements. As such, it will not appear dominant nor incongruous. See Appendix CTL 18 for photomontage evidence.
- 7.2.14** Within the immediate locale there are a number of vertical structures including lighting columns, telegraph poles, traffic lights, road signage, metal pedestrian safety barriers, bus shelters, litter bins other statutory equipment cabinets, bollards and semi-mature trees. These modern vertical items of street furniture and natural vegetation help the proposed site assimilate within the streetscene. This is in full accordance with Policy P3 and DM1 of the Rochdale Core Strategy.
- 7.2.15** It was considered that the proposed location would be the most suitable siting within the search area. As previously demonstrated in section 3 of this appeal, the designated search area is predominantly residential in nature and densely developed. Many of the roads in the area accommodate housing on both sides. As such, the siting of the proposed installation in a partial break from the residential area in Top of Hebers was deemed to be the most suitable location.
- 7.2.16** To the north of the proposed location there are residential properties which are located approximately 10m away from the proposal. The residential properties are orientated 90 degrees away from the site with no primary windows which would view the site. Northwest of the site is a small parade of shops with numerous elements of street furniture on the pavement. The site is opposite to Langley Lane to the west, there is a commercial property on the south side of Langley Lane. There are residential properties on both sides of the road beyond the commercial premises with the nearest residential property in this direction being located approximately 48m away. However, it will benefit from the separation distance and being orientated 90 degrees away from the site. To the south of the site continues Hollin Lane with a Public House and other vertical structures along the road. There are residential properties further south which are approximately 58m away from the proposed site. The separation distance and being orientated 90 degrees away from the site will result in the site being shielded from views. To the west is a wide footway with semi-mature trees and bushes beyond which provide a backdrop for the site. The nearest residential property in this direction is approximately 50m but benefits from the separation distance and partial screening from the semi-mature trees.
- 7.2.17** The siting of the proposed monopole has been carefully chosen so it would be located in the area with various other vertical elements of the street furniture minimising its visual impact on

the surrounding area. Alternative options were considered within the surrounding area, and all discounted options can be viewed in section 3 of this appeal statement, and in section 4 of the Supplementary Information document, included as a part of the original application. This is in contradiction to the statement included in the Officer's delegated report that no thorough justified alternative sites were considered.

7.2.18 The Code of Practice acknowledges that the site selection and design of equipment is primarily dependent upon the coverage and capacity requirements and technical constraints of a specific location. Further it states that there should be a presumption in favour of facilitating sustainable network development, and that the operators and local authorities should work together to ensure connectivity needs are met. There was no engagement undertaken by the LPA to find a more favourable location, maybe this suggests there are no more suitable options which would meet the appellant's requirements.

7.2.19 The Code of Practice acknowledges that there are numerous factors that affect the type of infrastructure that will be deployed, and that the planning authorities should be aware of these constraints, the Code states:

'In urban areas, where there is a high level of demand for mobile data, mobile base stations are likely to need to be deployed more densely. In these settings you can expect to see more use of streetwork monopoles and rooftop installations...'

7.2.20 The proposed monopole location is in accordance with paragraph 39 of the Code of Practice, which recommend siting such masts next to similar structures and in line with existing vertical infrastructure, such as street lighting columns, to minimise their visual impact. The siting of the proposal ensures that the installation will benefit from being in close proximity to several vertical structures in the streetscene and consequently ensures the installation will assimilate with its surroundings when viewed from several different vantage points. The installation will not harm visual amenity when viewed cumulatively with the existing monopole or result in excessive clutter, contrary to the officer's report.

7.2.21 It is believed that the technical constraints were not fully taken into consideration by the planning authority when determining the monopole at the proposed location.

7.2.22 The delegated report goes on to reference the recently adopted Places for Everyone, referencing policy JP-S1 which refers to sustainable development (see Appendix CTL 12 for the relevant extracts). The delegated report states:

'Places For Everyone Policy JP-S1 sets out development should minimise adverse

impacts and advantaged in energy will need to be balanced against potential impacts’.

7.2.23 The monopole has been designed and sited in line with Policy JP-S1. Again, this is a general design policy, as referred to above in paragraphs 4.4 – 4.13 the operator has design constraints that they have to work within. The design of the monopole is the slimmest and most appropriate design to incorporate in the area. The case officer has failed to reference Policies JP-C1 and JP-C2 of the Places for Everyone (see Appendix CTL 12 for the relevant extracts).

7.2.24 Policy JP-C1 aims to *deliver an accessible, low carbon Greater Manchester with world-class connectivity, this includes high quality digital infrastructure*. This appeal proposal will be in accordance with this policy. As will be discussed later on in this appeal statement, the proposal will increase sustainability in the area.

7.2.25 JP-C2 refers to digital connectivity, the area will support the provision of affordable, high quality, digital infrastructure. The monopole is in accordance with this policy. The site has been located to maximise coverage for the surrounding area, where there is currently no 5G coverage for the operator (See Appendix CTL 2 for coverage plots for evidence). The location has been chosen where there was previously a monopole for this operator (see Image 1) whereby it was de-commissioned to consolidate the number of masts in the area. The monopole is also located within an area where there is a break in the residential nature, with limited impact on visual amenity for the nearby residents.

7.2.26 The Delegated Report considers that the proposed scheme would be highly prominent due to the proposed location:

‘...the appearance of a monopole 20m in height and associated equipment cabinets would be highly prominent and stand taller than existing street furniture...’

7.2.27 As described above, the application site will not be seen as overly incongruous within the immediate surroundings, as it would assimilate with other vertical elements of the street furniture in the vicinity, therefore, the proposed monopole will be in accordance with the Code of Practice and the NPPF as it will keep the visual impact to the minimum. As mentioned in the Code of Practice the siting of this type of development is predominantly dictated by the technical requirements (as set out in Section 4 of this appeal statement), and it should be taken into consideration by the planning authority in decision making process; it is considered that the planning authority failed to take those aspects into consideration in its determination of the application now the subject of this appeal. The fact that the development will be visible in the streetscene does not automatically result in unacceptable visual harm.

- 7.2.28** The site is viewed in line with other vertical street elements when viewed from the west from Langley Lane with the semi-mature tree directly behind. Similarly, the site when viewed north and south travelling along from Hollin Lane would be seen against other vertical street elements. See Appendix CTL 18 for photomontages.
- 7.2.29** Viewpoint 1 was taken from Langley Lane, looking east towards the site. As can be viewed from the photomontage there are telegraph poles and street lights which will help the monopole blend in with the surrounds of the area. It does not appear stark or unnatural from this viewpoint, contrary to the officers report which states it would be prominent within the streetscene.
- 7.2.30** When viewing from the north of Hollin Lane, only the top of the monopole would be visible due to the topography and screening from the trees. This is contrary to the officer report that states *“people travelling either direction on Hollin Lane will have a clear view of the proposed development”*. This is not the case. Similarly, when viewing from the south of Hollin Lane, there is already a plethora of street furniture in the area which allows the monopole to blend in with, again limiting its visual appearance.
- 7.2.31** As can be seen in the photomontages, there are a number of vertical structures within the immediate area which will help the proposed radio base station assimilate into its surroundings including lighting columns, telegraph poles, road signage, traffic lights, bus shelter, other statutory equipment cabinets, bollards, trees and bushes. These vertical elements have become an established part of the streetscene. It is not unusual to see vertical items of essential infrastructure in urban environments and thus the height will not appear discordant in this area. This is in accordance with CF/6 of the Rochdale UDP (see Appendix CTL 10 for a copy of this policy) and the Code of Practice.
- 7.2.32** Viewpoint 2 was taken from Hollin Lane, looking south towards the appeal location. The photomontages evidence there are lighting columns, traffic lights, road signage and telegraph poles along this stretch of road which allow for the monopole to blend in with its surrounds. The viewpoint provides evidence users of Hollin Lane will not have a clear view of the proposed development.
- 7.2.33** Viewpoint 3 was taken from Hollin Lane in the opposite direction looking north towards the appeal location. Due to the topography of the area (see figures 10 and 11 below) and the existing semi-mature tree along Hollin Lane, only the very top of the mast will be visible for users of the road from this direction. Contrary to the case officers findings that users would have a clear view of the development.
- 7.2.34** There are strong technical and planning reasons why the proposed radio base station cannot be

located elsewhere. As already stated, this is a new column for VMO2 to enable 5G to be brought into this area of the Top of Hebers as demonstrated by the coverage plots enclosed at Appendix CTL 2. The existing installation at 157-171 Windermere Road is not designed to be able to support both operators (Vodafone and VMO2's 5G antennas). A replacement site is required for VMO2 to provide equivalent 2G, 3G service provision, enhanced 4G and new 5G technology in the cell area.

- 7.2.35** The existing radio base station north of the current appeal site on Hazelhurst Drive, for the operator Three UK (see Figure 9 below) cannot be shared to provide 5G into the cell area for VMO2. It would need to be radically redesigned to a much bigger and bulkier mast as shown in Figures 1, 2 and 6 above. Even if this would be considered acceptable from a visual amenity point of view there is not sufficient space on the grass verge/footway to install such a design without causing highway safety issues and encroach into the road.



Figure 9 existing streetworks radio base station utilised by another operator at Hazelhurst Drive which cannot be upgraded by VMO2 to provide 5G to the surrounding area

- 7.2.36** To avoid antenna interference the new monopole needs to be located at least 30m away from the existing monopole on Hazelhurst Drive (as explained in Discount 22). The network configuration in Rochdale is also such that if the new communications site is situated a significant distance from the existing site currently being used by Three UK at the footway of Hazelhurst

Drive. If the site were to be any closer then it will start to encroach on to the operations of other operators neighbouring sites, detrimentally affecting their performance as the antennas would all need to start 'shouting' in order to be heard, akin to everyone talking in a room at the same time. This leads to buffering and dropped calls.

- 7.2.37** The proposed location subject of this appeal is the nearest clear position to the existing site at Windermere Road for the operator where there are no underground services, a sufficient distance from the existing site to ensure both sites function effectively, and where there is sufficient available and suitable land to accommodate the radio base station. There are no suitable non-residential buildings or more suitable available land which would be able to support a radio base station or that wouldn't appear more prominent than the appeal site location within the operators search area. The discounted options and map highlighting the operators search area are more fully set out in paragraphs 3.77 – 3.106 of this appeal statement.
- 7.2.38** As demonstrated by the submitted coverage plots, the surrounding area of this appeal site is currently not within the functioning network of 5G radio base stations for VMO2 customers and those VMNOs who buy network space from this operator. Subsequently there is no opportunity for individuals, private/public businesses or service providers using the VMO2 network to maximise the potential benefits of 5G service provision in this particular area of Rochdale. As mentioned in the sequential approach to site selection, the siting of this type of telecommunications development is predominantly dictated by the technical requirements, and it should be taken into consideration by the planning authority in the decision-making process. Although the planning authority considered that the application, which is now the subject of this appeal, had justified the lack of suitable alternative sites, it is considered here that the planning authority failed to take the technical aspects into consideration when determining the application.
- 7.2.39** The Code of Practice acknowledges that the initial deployment of 5G will seek a search area which will be largely defined around the existing network and localised to cover a specific coverage gap. This often limits siting options and design solutions. This is the case in this instance. The operator has to provide contiguous 5G into an established network which is largely residential in nature. The search area is necessarily small to ensure that the coverage footprint of the existing radio base station is maintained and a loss of service provision is not experienced for existing users of the established network whilst providing 5G technology in this cell area.
- 7.2.40** The Code notes that all telecommunications installations are principally guided by the technical need for the site and the technical constraints. The siting and design of such installations must therefore be balanced between perceptions of visual impact and the proposed installations technical needs and constraints.

- 7.2.41** 3G and 4G signals by their very nature (as they carry high data rates) do not penetrate over long distances, just a few hundred metres, 5G even less so depending on the topography of the land, building clutter and vegetation including trees in the area which can reduce their effectiveness. Therefore, the new 5G radio base station needs to be close to their customer demand which in this case is the Top of Hebers area.
- 7.2.42** The courts have held that significant and demonstrable harm which outweighs any benefits is a high test. Paragraph 120 of the NPPF (2023) 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 communication development and existing development*'. Effectively, the Council by refusing this application on the grounds that it will be too tall in the context of the surrounding area, have imposed a ban on telecommunications development in low rise areas. However, there is no national guidance which supports this view.
- 7.2.43** The delegated report refers to two appeal decisions that have been dismissed in Rochdale due to the proposed similar relationship to the appeal location. However, the council have failed to take into account the topography of these locations varies to the appeal location. The area benefits from varying topography, particularly from the south and north of the site. Figures 10 and 11 below shows the difference in land height in this area. The topographic maps indicate that the council have not correctly assessed the area, whereby the undulating topography will ensure the monopole will have limited views along Hollin Lane. The photomontages (see Appendix CTL 18) provide further evidence long range views will be limited and will not be extensive as the council claim.

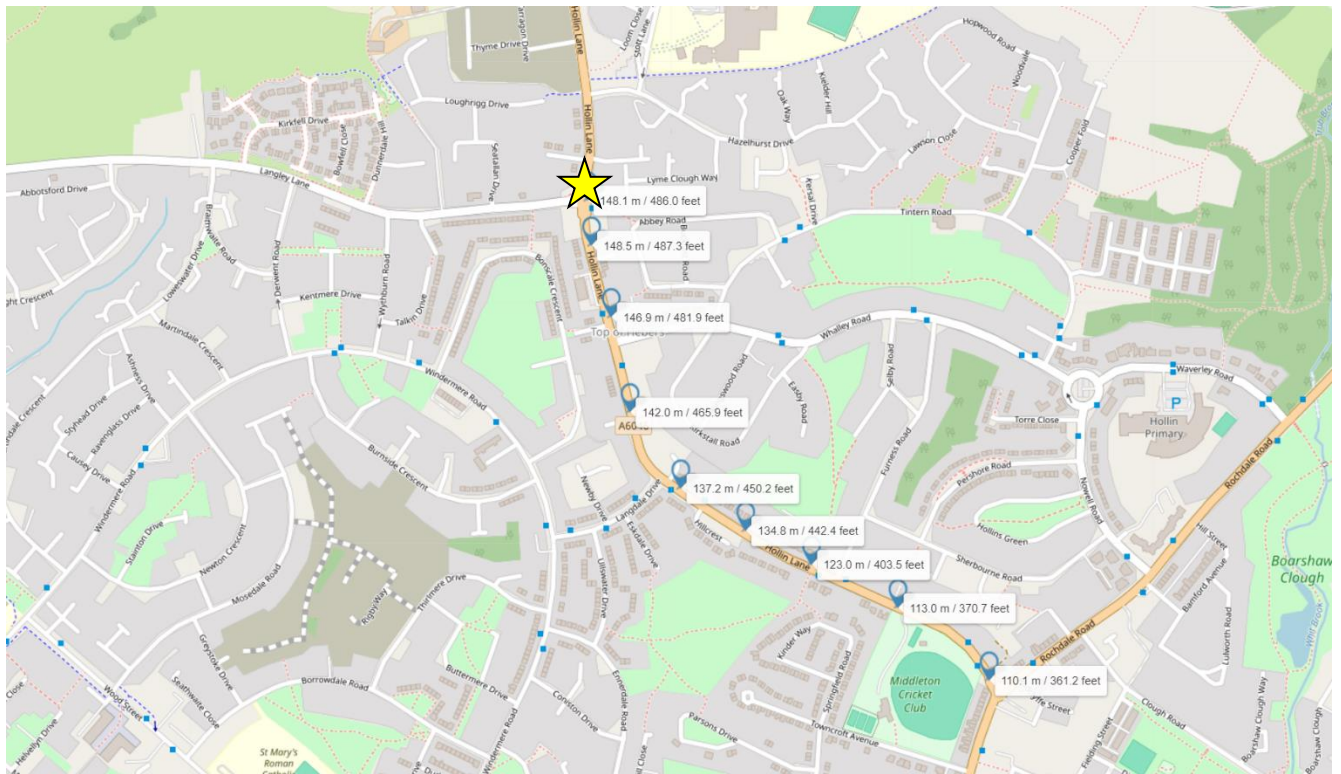


Figure 10 map of topography along Hollin Lane, travelling north towards the site from Long Street / Rochdale Road

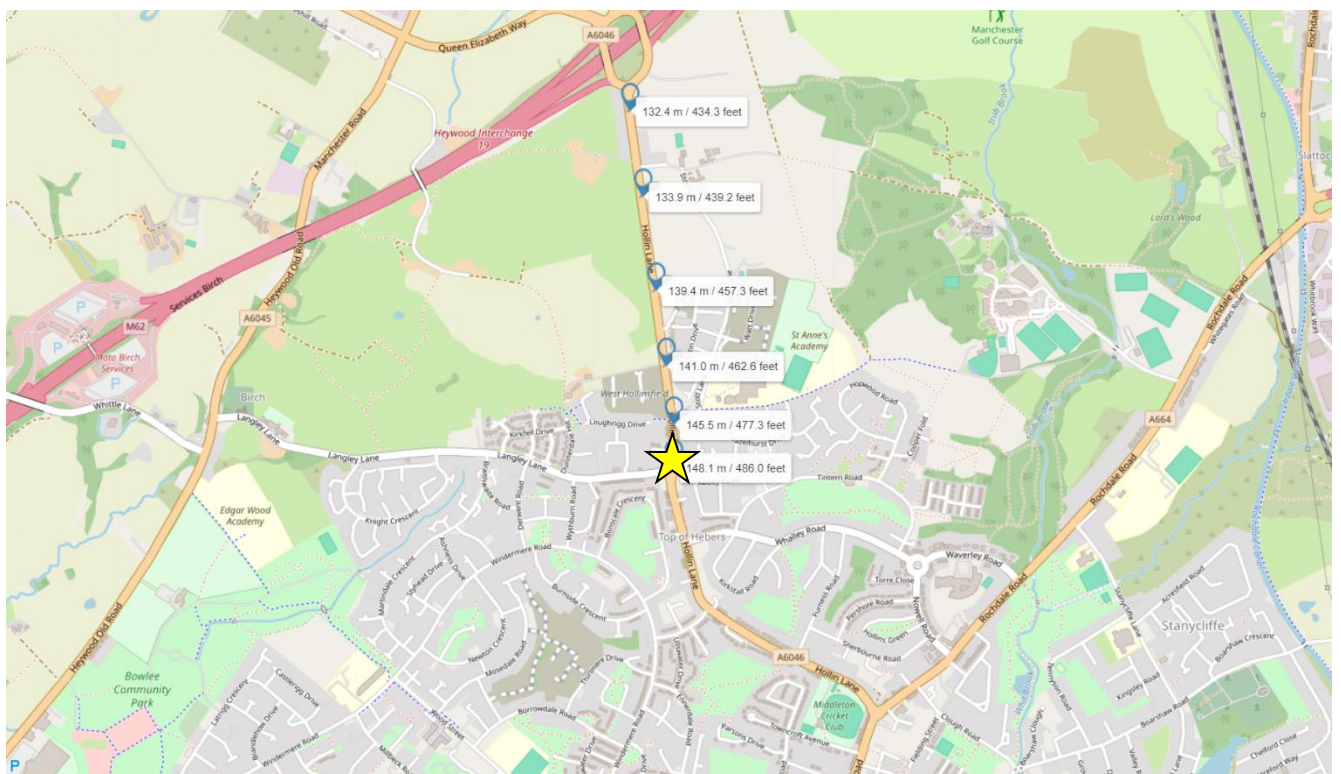


Figure 11 map of topography along Hollin Lane, travelling south along Hollin Lane.

7.2.44 The delegated report references APP/P4225/W/20/3260406 which was dismissed at appeal in February 2021. The referenced appeal location is in a more exposed location, with little to no

screening as identified by the planning inspector:

'Langley Lane is a relatively straight road in this location and the proposal would be readily visible on the approach in either direction. While there are trees in the wider area, including in residential gardens and the Green Belt, these would not be sufficiently close to the monopole to provide any obvious screening benefit. The proposal would not be integrated or assimilated into its surroundings. It would be prominent in views through the area including from nearby residential streets and properties, travelling along Langley Lane and from wider locations in the open countryside.'

7.2.45 In contrast, the appeal location under consideration here benefits from some visual screening and backdropping at the rear of the proposed site. There are trees to behind the proposed monopole, which currently rise to some 13m in height, along with other vertical elements of street furniture which help reduce its visual prominence in the area (see Appendix CTL 18 for photomontages). As identified in figures 10 and 11 above, the topography of the area drops significantly in either direction along Hollin Lane which reduces the road users ability to see the site from long distances.

7.2.46 In March 2023 (appeal ref: APP/P4225/W/23/3325785) an appeal was allowed in what could be considered as a more exposed location than the current appeal location. The site on Heights Lane in Rochdale was for a similar designed monopole at the same height (see Appendix CTL 19 decision notice and plans). The site located on Heights Lane is more exposed which the inspector identified at paragraph 10:

'...Although nearby trees would provide screening or a backdrop to the proposal, this would only be the case from certain vantage points. In a number of views from the adjacent open space and along Heights Rd, the proposed pole would be clearly seen and appear as a prominent feature in largely open surroundings.'

7.2.47 The planning inspector found there would be harm to the character and appearance of the area at paragraph 13:

'...I conclude that the siting and appearance of the proposed installation would result in harm to the character and appearance of the area and to the setting of the listed Falinge Park...'

7.2.48 However, unlike the councils assessment of the site, the planning inspector applied a balancing exercise to the proposal. The inspector attached significant weight to the public benefits 5G technology can bring and concluded the evidence provided shows there are no other less

harmful alternatives in the area, see paragraph 16:

‘The proposal would, as a result of its siting and appearance, harm the character and appearance of the area and the setting of listed Falinge Park. However, the moderate scale of the harm would be outweighed by the significant public benefits that would arise from the proposal where the evidence demonstrates that less harmful alternatives do not exist. The proposal would therefore accord with the Framework, which supports the expansion of electronic communications networks, including next generation mobile technology such as 5G’.

- 7.2.49** The above Inspectors’ decisions clearly acknowledge that there can be harm to the area but there is a balancing exercise to be undertaken. The appeal proposals will enable VMO2 to provide new 5G services for this densely populated area of the town in line with the Government’s aspirations to be a world leader in 5G, the next generation of wireless connectivity, and for communities to benefit from the investments in the new technology. The Government wants 5G to be provided now because stalling on 5G provision can have significant detrimental effects on the UK economy. The Centre for Social Policy in its report *‘Upwardly Mobile: How the UK can gain the full benefits of the 5G revolution’* estimate the cost as much as £41 billion.
- 7.2.50** The siting of the proposed radio base station has been carefully considered, located where a monopole had previously been located here for the operator (and only removed to consolidate the number of monopoles in the area), near to other similar designed vertical structures and away from residential properties frontages. Accordingly, the appeal proposals should not be dismissed on the grounds of their impact on the visual amenity of the area.
- 7.2.51** Alternative options have been considered (see section 3) and it is considered this is the best location from a siting perspective. The officers delegated report states *“there was no reasoning as to why these sites were the only locations assessed in the cell search area”*. As this is a replacement of coverage for the existing site at Windermere Road for VMO2 the operator requires a new site to be located nearby otherwise there would be a hole in coverage. This naturally makes the search area smaller as the operator is required to find replacement 2G, 3G and 4G coverage for the area. The area is predominantly residential, whereby there has been recent increases in the number of residential dwellings in the area, this has further restricted the amount of land in which the operator can appropriately located a replacement mast.
- 7.2.52** The monopole has been carefully sited in a location whereby there is a break in this residential nature. The operator looked to replace the coverage with a new site on Windermere Road, the same road that the existing site is located, but that this was refused by the Council and

subsequently dismissed at appeal. Therefore the operator has gone back and reviewed any potential options and considers that the previous site that was decommissioned through a consolidation exercise following a sharing agreement with Vodafone, prior to data hungry technology/devices being invented. It is considered this location would be the best option and had previously been accepted by a planning inspector at appeal.

Appearance

- 7.2.53** It has already been demonstrated in Section 4 of the appellant's appeal statement that the proposed antenna height of 20m is essential to provide new 5G coverage and replacement 2G, 3G and 4G service provision to the surrounding area. 5G radio signals are more sensitive to physical obstructions than older technologies. This is because the higher the frequency band the greater the reduction in signal strength, increasing the likelihood of dropped calls and reduced data rates for internet browsing, for example. Any physical object obstructing the propagation of radio signals causes a reduction in the signal strength reaching a customer's device. A common term for these objects is 'clutter' such as buildings, trees and hills. Generally, the higher the signal frequency the more it will be impacted by clutter.
- 7.2.54** Since 5G new radio technologies operate in higher frequencies where attenuation of the radio signal is naturally higher, and the effects of clutter are greater it will normally require a higher structure to achieve the same coverage footprint as older technologies. Furthermore, unlike traditional technologies 5G uses adaptive beamforming technologies to increase capacity and data speeds to the user. For effective beamforming the antenna will normally need to be mounted higher than conventional antennas. These factors all lead to the need for an increase in antenna height in 5G.
- 7.2.55** It is accepted that the height of the proposed installation is taller than other pieces of surrounding street furniture, and some buildings, but this in itself is not a valid reason to conclude that it is not appropriate at a specific location. Telecommunications apparatus by its very nature must be taller than surrounding built and natural form to ensure its efficient operation. To suggest that it is inappropriate because it is taller than nearby lighting columns is no more relevant than suggesting that street lighting columns are inappropriate because they are taller than road signage or traffic lights. They are all essential pieces of infrastructure within a streetscene that carry out differing functions and therefore cannot be considered on the same merits. As such, the proposal should not be considered negatively due to it being taller per se than adjacent buildings and linear structures.
- 7.2.56** Indeed, inspectors at appeal now recognise monopoles are becoming increasingly common in

suburban areas. In August 2022, a similar designed monopole and at the same height of 20m was approved at appeal in South Staffordshire, at the grass verge of Warstones Road / Stourbridge Road Junction (Appeal ref: APP/C3430/W/22/3291191). The inspector states at paragraph 6 (See Appendix CTL 20 for a copy of this decision and plans):

'Due to its position and height, the proposed mast would be visible in views when travelling along Stourbridge Road and Warstones Road and the upper part of it would protrude above trees and streetlighting. Whilst the proposal would result in visual change, it would be viewed in the context of a busy thoroughfare in a suburban area and other street furniture. Telecommunication installations, such as the one proposed, are common features in such environments given the requirement for high quality communications and that advanced, high quality, reliable communication infrastructure is considered essential for economic growth and social well-being. In the context of the surrounding area, I find that the proposed development would integrate into the area and would be compatible with its surroundings.'

7.2.57 As the inspector notes, telecommunications installations are becoming more common in busy suburban areas, such as the appeal site location as high quality, reliable communication infrastructure is considered essential. This is more the case in the Greater Manchester region as will be discussed later, whereby the region wants to become a top 5 digital city.

7.2.58 Reasonable consideration of the proposal in the context of adjacent street furniture can only conclude that the presence of other vertical structures in the immediate area only seeks to provide a setting wherein a base station may appear more congruous from which to provide an important service to a wider area.

7.2.59 The case officer delegated reports acknowledges the colour of the monopole will mitigate some visual harm to the area as it will blend in with the often grey sky:

'It is appreciated that some of the visual harm resulting from the monopole would be mitigated by virtue of the choice to colour the monopole grey, where it is predominantly viewed set against the sky.'

7.2.60 The main column is split in to two sections. The upper section is 406mm and the lower section is 457mm from ground level. This column width is essential in order to safely support the antennas at the top of the column. The column is proposed to be grey BS00A05 to blend in with the other vertical structures nearby and an often-grey sky.

7.2.61 In line with NPPF, the Code of Practice and the Places for Everyone Joint Development Plan

Policy JP-C2 operator has chosen the most sensitive design available to provide 5G to this area of Rochdale with the Top of Hebers area. As a result, the antennas are located in a stacked formation at the top of the monopole, to minimise its width and appearance in the streetscene. The column will resemble other vertical structures within the immediate area of a similar design and as such will blend in with these other linear structures. The column is proposed to be grey a similar colour to other vertical structures nearby, although the column can be finished in any other colour the inspector considers appropriate. If the antennas and monopole were any slimmer, then the equipment would not be able to fit in the one installation and another radio base station would be required leading to the proliferation of masts contrary to NPPF and the Code of Practice. Section 4 describes in greater detail the technical reasons for the monopoles design and appearance and thus will not be repeated again here.

7.2.62 Once the monopole will be installed within the streetscene it will not look incongruous in the streetscene and will assimilate with the surrounding area and in time becoming an established part of the streetscene. As presented on in the photos below, this type of structure is becoming a natural element of the urban environment, as more people choose to work remotely which increases a demand on the coverage and capacity in residential areas.

7.2.63 Below are attached photos of a mast siting in a more open setting with a similar design and height to the appellants proposal. The below example (Image 2-5) was approved by Manchester City Council in October 2021, under LPA ref: 131373/TEL/2021 (see Appendix CTL 21 – MCC Decision Notice at Hyde Road).



Image 2 Similar design and siting monopole (Source: Google)



Image 3 Similar design and siting monopole (Source: Google)



Image 4 Similar design and siting monopole (Source: Google)



Image 5 Similar design and siting monopole (Source: Google)

- 7.2.64** As with the lighting columns and traffic lights in the area, the proposed monopole is an essential item of infrastructure which has technical and operational reasons as to its design, exposed antennas and height which cannot be further amended. As already explained above the whole antenna has to be clear of any obstruction in order for these antennas to work effectively. If the mast were to be any lower, then the antennas would not be able to clear the urban clutter in the surrounding area. This would prevent them from working and an additional installation would still be required contrary to NPPF and The Code of Practice.
- 7.2.65** It has already been demonstrated in Section 4 of the appellant's appeal statement that the proposed antenna top height of 19.73m with an overall column height of 20m is essential to provide new 5G coverage and replacement 2G, 3G and 4G service provision to the surrounding area. 5G radio signals are more sensitive to physical obstructions than older technologies. This is because the higher the frequency band the greater the reduction in signal strength, increasing the likelihood of dropped calls and reduced data rates for internet browsing, for example. Any physical object obstructing the propagation of radio signals causes a reduction in the signal strength reaching a customer's device. A common term for these objects is 'clutter' such as buildings, trees and hills. Generally, the higher the signal frequency the more it will be impacted by clutter, as explained in the revised Code of Practice.
- 7.2.66** In an appeal decision, from October 2021 in Birmingham for similar design and height as the current proposal, on Bromford Drive opposite Ayala Croft, PINs ref: APP/P4605/W/21/3276432, the inspector also considered the main issues to be the effect of the siting and appearance of the proposal on i) the character and appearance of the area. See Appendix CTL 22 for a copy of the approved plans and inspector's report. The mast was proposed to be sited on the adopted

highway, just as the current appeal proposal. The inspector also found at para 5 that whilst the column would be visible from the surrounding area due to its height, the screening effect from the trees (located at a similar distance as in the current appeal proposal) would ensure that it would not be prominent:

'Due to its height, the column would be visible from the surrounding area. However, it would be screened in some views by roadside trees, particularly from medium and long distance. As such, it would not be in an exposed position, and it would not be unduly prominent.'

7.2.67 In para 7, the inspector's report acknowledges the appearance of the proposed mast:

'The proposal would have a functional appearance, typical of telecommunications equipment and other types of street furniture seen near the site and in urban areas generally. Its grey colour would make it stand out against any tree greenery, but it would match the existing street lighting columns. The proposed cabinets would be similar to those that already lie along the road and so they would integrate appropriately in the streetscene.'



Image 6 of bollards on junction of Langley Lane and Hollin Lane (Source: Googlemaps.com)

7.2.68 All these appeal decisions are directly comparable as they are for similar design and height, and in similar situations. The current appeal proposal will be located in proximity to other linear items of street furniture which several inspectors have found that other street furniture would provide

context so that the telecommunication mast do not appear out of place, and together with the narrowness of the design would not cause detrimental harm to the living conditions of nearby occupants. Inspectors have also noted that ‘telecommunication structures are common features in built up areas’ and ‘would blend in with similar structures such as street lighting’.

- 7.2.69** The monopole has been sighted in a location where there was a previous monopole located here, within the break from the residential nature of the area, surrounded by a plethora of street furniture. The officer within their report states the proposed concrete bollards would impact visual amenity, however, as can be seen above they already are within the Top of Hebers area:

‘The proposed concrete bollards would also be visible and not have a positive impact on visual amenity’.

- 7.2.70** As explained above, the proposed height is the lowest that can provide the necessary coverage to the Top of Hebers area. Exposed antennas would provide optimal coverage to the target coverage area and enable 5G coverage to be provided to this cell area, in line with the Governments push for high quality, reliable, advanced, next generation connectivity throughout the UK. If the antennas were shielded 5G service provision would not be able to be provided and would fail the operators design brief to provide 5G in this area of the city.

- 7.2.71** The Planning and Compulsory Purchase Act states that each application should be determined in accordance with the development plan unless material considerations indicate otherwise. The operators 5G license legally requires high quality service provision to the vast majority of the UK. This is a key site for VMO2 considered necessary in order to meet their 5G license obligations in Rochdale. As a result, the appellant has submitted a number of applications to provide 5G all around the city so that the 5G network can link up to Rochdale, the Greater Manchester region and the rest of the UK via its programme to roll-out 5G nationally. Therefore, the appeal proposal is very significant in order to ensure that the national network is seamlessly linked from cell area to cell area, and that locations such as these in Rochdale get the connectivity, they require in order for the customer to be able to utilise their handsets for the purposes in which they were designed for.

- 7.2.72** The reason for refusal states the development will be “*amplified by the siting of additional unsightly equipment cabins*”. The equipment cabinets are not cabins. Cabins are much larger whereby engineers are able to walk inside of them to carry out their works, they are commonly found in greenfield locations (not located on the highway). The operators cabinets in this location are small. They are not considered to be harmful to the streetscene. If they were then the Town and Country Planning General Permitted Development Order 2015 (as amended) would

not allow them to be permitted development. The fact that they are permitted development must follow that they are not considered harmful per se. The number and size is the minimal possible in order to house all the technologies 2G-5G. The cabinets are stuck together reducing the dominance in the area. There are also a number of similar cabinets in the immediate area including opposite the site on Langley Lane next to the commercial unit and diagonally opposite the site outside the shops near to the traffic lights. Thus, rather than being unsightly they will not be materially different than the existing cabinets in the streetscene and will blend in with them. Furthermore, there were a similar number and design of cabinets in this exact location when the previous telecommunications monopole was positioned here and which became an established part of the streetscene.

- 7.2.73** The officer's delegated report requires further information on alternative site selection as *"no detailed information in relation to any other alternative sites/ rooftops have been provided as part of this proposal, which is limited, this is required under the NPPF"*.
- 7.2.74** The officers report does not offer or suggest any alternative sites or greenfield sites which suggests there are no alternative options. Section 3 demonstrates there are no viable greenfield or rooftop sites. The area has undergone recent development with new residential developments to the west, south west and north of the appeal location. The rooftops in the area are not suitable to host telecommunications apparatus, they are low lying rooftops which are pitched. As explained in section 3, pitched rooftops can not host telecommunications equipment as they are not structurally stable enough to hold the heavy equipment. Even if the rooftops were able to host the equipment, they would require long support poles to avoid clipping and reach their target coverage area. This would have a greater impact on the visual amenity than the appeal location as they would be seen from a wider area and located within the residential nature of the area.
- 7.2.75** A greenfield option would not be ideal from a visual perspective either as they are often shared structures whereby both operators would utilise the same structure. These shared base stations allow for separate antennas on supporting structures that are capable of accommodating the weight, wind loading and technological requirements associated with providing multi advanced technologies including the latest 5G service provision for two separate operators from a single shared location. Discount 1 and figures 1, 2 and 6 provide an example of the design which would be utilised if a greenfield option would be used. These would have a greater impact on the visual amenity and have a greater degree of harm.
- 7.2.76** Therefore, it has been demonstrated that this is the only viable location from a technical and planning perspective, having the least degree of visual harm on the amenity in order to provide replacement 2G, 3G, and 4G service provision and new 5G coverage.

Lack of Coverage – material consideration

- 7.2.77** The case officer, in assessing the siting and appearance has concluded that siting and an incongruous design of mast, the proposals are unacceptable and that the public benefit does not outweigh the identified harm. The case officer does acknowledge there are social and economic benefits but these would not be outweighed by the harm *“The proposed 20m monopole and associated ancillary works would result in social and economic benefits through the improvement to local communications networks. Despite this, the proposal would result in significant material harm to the character and appearance of the surrounding area”*. It is clear the council have not fully considered the economic and social benefits of the proposal.
- 7.2.78** This is clear in the delegated report as they go on to state in their Article 35 statement that *“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.”* It would appear the Council appreciate the benefits of connectivity. If it were the case, the UK Government, the Greater Manchester Authority and Rochdale Council themselves would be wasting their time (and considerable public resources) in trying to ensure 5G connectivity is achieved across their respective jurisdictions, through their various digital strategies.
- 7.2.79** This has led the case officer to make their assessment in an unreasonable manner. All of the social and economic benefits were presented to them within the submitted Site Specific Supplementary Information document. They have either ignored the social and economic benefits or not aware of the Council’s own digital strategy which makes clear the benefits of being connected. As well as the other strategic documents that Rochdale (as part of Greater Manchester) has agreed to. The following paragraphs will further outline and highlight the strong economic and social benefits that the proposed site can bring to the Top of Hebers area.
- 7.2.80** In accordance with the NPPF, the proposed installation is significant to enable continuous coverage of the telecommunication network, ensuring that the Top of Hebers area continues to get the mobile coverage it needs for VMO2 customers as well as new 5G coverage. It will also maintain and improve coverage for the Mobile Virtual Network Operator’s (MVNOs) which use the VMO2 network which includes GiffGaff, Tesco Mobile, Sky Mobile, and Lyca Mobile. So, the proposal will not only provide a service for one operator but those who buy network space off them, which is at least 4 with VMO2. This will provide a choice for those customers who consider the level of coverage in their area when selecting which operator they agree future contracts with.

- 7.2.81** The proposed installation would infill the current non-existent 5G mobile coverage for VMO2 in and around Top of Hebers and as such is a vital link into the operator's network. Policy DM1 of the Rochdale Core Strategy seeks to ensure that there are no undue effects on residential amenity. A telecommunications installation is a piece of essential infrastructure to enable the mobile network to function. Once installed it will not cause increased activity as the site will only need to be visited approximately once, maybe twice a year for servicing maintenance. Should the antennas malfunction, then the operator's engineers will fix the antennas by utilising a cherry picker parked at the base of the column. The need to visit the site, once operational, will be very limited. Therefore, there will be no detrimental activity or disturbance to the amenity of nearby occupants.
- 7.2.82** A radio base station does not cause vibration, does not emit dust, fumes or produce litter, no lights are required for the radio base station operation and therefore it cannot cause light pollution. The column itself will not emit any noise. The only noise will be from a fan within the equipment cabinets which will only be activated on very hot days. This noise will not be audible above background noise, and certainly not sufficient to warrant the proposals refusal.
- 7.2.83** This area of Rochdale currently has no 5G service provision for the operator, as shown in the enclosed coverage plots (see Appendix CTL 2). Therefore, it is a 5G 'not spot' for the operator, in a high demand, residential area. Consequently, this community does not have access to the latest high quality indoor 5G coverage and capacity. Thus, users of their 5G enabled handsets are unable to utilise their devices for the purposes in which they were purchased. This is contrary to the Government aspirations to be a world leader in 5G and Greater Manchester's aim to be a world-leading digital city region benefitting from top-level digital infrastructure (Greater Manchester Digital Blueprint) and being the 'smartest' city – one of the Greater Manchester Mayor's aspirations. The Places for Everyone reiterates the point it is the Greater Manchester ambition to be the UK's leading digital city and one of Europe's top five. In line with the operators 5G rollout programme, which is also aligned to the latest Government thinking for advanced, high quality and reliable communications infrastructure and Greater Manchester's aim to be at the forefront of 5G roll-out there is an urgent need to fill this hole in coverage.
- 7.2.84** The current proposals will facilitate the development of an advanced broadband telecommunications infrastructure in line with National Government guidance contained within the NPPF which supports infrastructure especially where growth takes place. It will also fully comply with policies JP-S1 and JP-C1 of Places for Everyone Joint Development Plan which supports development which improves and expands telecommunications coverage. By providing the latest 4G technology and new 5G service provision the proposals will also help

meet the aspiration of the Greater Manchester Strategy to be a world-leading digital city region. Embracing digital technology throughout all sectors, geographies and occupations is fundamental to Greater Manchester's current and future international competitiveness according to the Greater Manchester Strategy. Becoming a leading digital city-region is imperative to delivering the Greater Manchester Strategy Vision of delivering the economic, social and inclusion improvements it needs and wants. Digital growth plays a fundamental role in driving economic growth.

- 7.2.85** Providing the latest 4G technology and new 5G service provision in this area of the regional city will also be in line with the aspiration of the Greater Manchester Local Industrial Strategy to be one of the top 5 city-regions for the digital economy in Europe, with full fibre broadband and 5G coverage. It will also support the Greater Manchester Local Industrial Strategy aim to upgrade, integrate and future-proof its infrastructure to create a 21st century city-region with extreme digital connectivity, clean and inclusive growth and improved access to national and global markets. The proposals will also support the Greater Manchester Local Industrial Strategy of having world-class connectivity digitally with the infrastructure to digitalise all sectors. As a result, the Local Industrial Strategy fully supports the development of 5G networks.
- 7.2.86** Integrating 5G coverage for VMO2 within this area of Rochdale will help meet Key Strategic Enabler C of the Greater Manchester Digital Blueprint which seeks to extend its world class digital infrastructure ensuring that Greater Manchester has the digital infrastructure it needs to be a world class digital city region delivering ubiquitous 4G and 5G mobile across the whole city region by 2025.
- 7.2.87** Places for Everyone Joint Development Plan also strongly supports improving digital infrastructure with digital connections becoming increasingly important every aspect of our lives. As acknowledged in the Places for Everyone Joint Development to be able to be considered a true global city the area needs widespread, affordable, reliable, secure and future proofed digital infrastructure that provides competition for businesses and social inclusion. This can only be achieved through providing the digital infrastructure to the areas where it currently is non-existent.
- 7.2.88** New 5G coverage in this part of the city will also fully comply with the Greater Manchester Infrastructure Framework by helping to meet the challenge to provide pervasive, affordable, resilient digital connectivity. The Framework notes that if this challenge is to be met then early roll out of 5G especially in areas where mobile data use is congested is needed such as the Regional Centre. The proposed installation will fully meet this Framework aspiration. The proposals will also help Greater Manchester to be a smart and digitally ready city-region, where

resilient fixed connectivity supported by 5G service provision is required. The Framework also states that 'anyone in Greater Manchester should be able to access resilient, seamless connectivity at a speed they need anywhere and anytime'. The proposed installation will fully comply with this aim.

7.2.89 In line with the Greater Manchester Infrastructure Framework which fully supports the development of 5G, the proposals will provide world-class connections and access to opportunity for all in this cell area, as well as providing world-class digital infrastructure which provides the platform for Greater Manchester to embrace emerging technologies and societal changes. As noted in the Infrastructure Framework 5G infrastructure is fundamental to enable digital technologies to function. The proposals will ensure that any VMO2 customer or MVNO customer which buys network space of VMO2 in this cell area will be able to access resilient, seamless connectivity at a speed they need anywhere at any time. Without the more basic technology solutions such as 5G, the Framework acknowledges that smart-region solutions and value-added outcomes will struggle to be brought to fruition.

7.2.90 In line with the Greater Manchester objective to be one of the top 5 European Digital City-Regions recognised globally for its digital innovation, the proposed radio base station will connect positively to the community as a whole and provide connected digital communication infrastructure so that Rochdale can remain internationally competitive, sustain existing growth and attract new high value business. It will allow access to faster connection and enhanced data services, the benefits of which have been widely publicised, and which will be set out more fully later in this appeal statement. The key benefits include connecting with family, friends and colleagues at any time around the world. This benefit has never been more important, understood and relied upon than during the COVID-19 pandemic, that we all experienced and had to live through, when a reliable, high quality, advanced telecommunications system was often seen as a lifeline to our loved ones, friends, family and work colleagues, helping to improve our mental health and well-being and being able to work from home where possible. It also enables us to manage our personal information 24/7. A good quality communications system also allows us to be always entertained and informed with the latest news (which has been particularly important during the COVID-19 situation) and creating more productive and cost efficiencies for businesses.

7.2.91 5G will provide faster and more reliable connectivity leading to greater opportunities. It will increase network capacity, helping to end the frustrations of people unable to access the internet in crowded places. It is more secure than open access WIFI and enhances protection of customers from interception, impersonation and location tracking. It will allow hospital outpatient

appointments and emergency consultations to be carried out remotely by video link. This is not only more convenient for patients, but they can also play back their appointment at a later date or share it securely with a family member or carer to help inform their care.

- 7.2.92** 5G allows connected ambulances where paramedic crews at an incident could access specialist advice while they are at the scene e.g. video conferencing with consultants or other clinical specialists. Live streaming of patient data from the ambulance en-route to the hospital would help inform the immediate care patients received on arrival. 5G allows live streaming of CCTV footage from public transport buses, enabling immediate action against anti-social behaviour. Intelligent cameras using artificial intelligence to ID incidents could provide the opportunity for far greater coverage than is possible at present.
- 7.2.93** 5G will provide faster and more reliable connectivity leading to greater opportunities. We will experience new technologies that will help us become more efficient and save costs as an individual or business. Advanced healthcare facilities performing surgeries remotely will be made possible along with freeing up more GP time through better online facilities improving health and social care. It will allow the greater Internet of Things (IOT) transformation, with better connected devices, the IOT will enable us to control devices more independently, it will help councils and businesses deliver services more efficiently including transport and logistics with connected parcels and fleet tracking; environmental monitoring with sensors monitoring air quality and water pollution in real time; smart retailing; industrial applications, enabling business to improve productivity e.g. through predictive maintenance and real-time analytics.
- 7.2.94** Trials have already begun across the UK to demonstrate the potential of 5G and how it can improve and drive productivity and efficiency. In June 2019, West Midlands 5G partnered with BT and University Hospitals Birmingham to trial the UK's first 5G Connected Ambulance. Real-Time communications between the paramedics and the hospital doctors enabled the effective diagnosis of the patient at an early stage of care. The trial showed how a paramedic performed a remote-controlled ultra-sound scan on a patient in an ambulance over a public 5G network. These trials show how digital connectivity and technology can reduce patient waiting times and save lives (Source: WM5G).
- 7.2.95** Mobiles can only work with a network of base stations in place where people want to use their mobile phones or other wireless devices. Without base stations, the mobile phones and other devices we rely on simply won't work.
- 7.2.96** Without this new radio base station, the operator's customers would experience increasing numbers of dropped calls and buffering unable to access the internet on their handheld devices.

They would also not be able to access the 5G network, a demand which is increasing rapidly as customers update their handheld devices to ones that are 5G compatible, and one that Greater Manchester is embracing with its ambition to be a world leading digital city region and the 'smartest' city where early roll out 5G is encouraged to provide pervasive, affordable, resilient digital connectivity. If the 5G network is not available, then the customers' would not be able to utilise these handheld devices for the purposes in which they were purchased. This would be contrary to the aspirations of Central Government which aspires to everyone having access to the superfast highway network wherever they are and being a world leader in 5G.

7.2.97 The proposed new radio base station is in full conformity with the Greater Manchester Infrastructure Framework, the Greater Manchester Local Industrial Strategy, the Greater Manchester Strategy and the Places for Everyone Joint Development Plan whose ambitions for the city-region are to be a world-leading digital city-region to help capitalise on economic, social and inclusion improvements that the Greater Manchester region wants and needs, which aims to upgrade, integrate and future-proof its infrastructure, to create a 21st century city-region with extreme digital connectivity. It will help meet their aim of Greater Manchester becoming one of the best digitally connected city-regions in the UK, where development of the 5G network is fully supported. Yet the Council in determining the application did not fully take into consideration the importance of 5G and the benefits it would bring to the city and the Greater Manchester region in line with its strong aspirations to be the 'smartest' city and a top European Digital City-Region recognised globally for its digital innovation. Where high quality digital infrastructure to a standard experienced where Policy JP-C1 of the Places for Everyone states *'enabling the roll-out of latest generation mobile technology and full fibre to the premises connectivity, in a way that maximises coverage whilst protecting townscape quality and ensuring an ability to respond to updated/ changing technology'*. It did not carry out a full balancing exercise weighing the clear and well publicised economic and social benefits of 5G and being able to link this latest technology to the national network and other 5G sites across the city against the perceived harm that the proposed development would cause to the immediate area. If it had then the outcome may have been very different.

7.2.98 The Places for Everyone Joint Development Plan at Paragraph 10.33 recognise's the importance of the telecommunications industry to ensure the Greater Manchester meets their aim to become a top five digital city in Europe, *'Improving digital infrastructure and ensuring that new development is connected to it is therefore a high priority. The development industry has a significant role in enabling this priority, as well as benefiting from'*. The plan also acknowledges the rapid changes which digital connectivity goes through and the adaptability the plan echoes this, *'Recent decades have shown the speed with which digital technology evolves, with a new*

generation of mobile technology being introduced around every ten years. The digital infrastructure will therefore need to adapt and evolve throughout the Plan period’.

- 7.2.99** The proposed installation will help improve the area’s economic prosperity, strengthen the urban economy’s by supporting local businesses to start, grow, adapt and diversify. This is in accordance with three of the key objectives (6, 7 and 9) of the Places for Everyone Joint Development Plan to ensure the more sustainable movement of people through improvement of social infrastructure including digital. It will support a better environment for today and tomorrow by reducing the need to travel and in turn minimise carbon emissions, a key ambition of the NPPF, the Greater Manchester Strategy, the Infrastructure Framework, the Local Industrial Strategy and Places for Everyone Joint Development Plan. The radio base station will support the delivery of healthcare provision and accessibility by enabling people greater access to online services, NHS appointment reminders (every missed NHS appointment costs the NHS approximately £160 source: NHS), reminders to take medicines, make appointments etc. As well as assisting hospital outpatient appointments and emergency consultations carried out remotely via video link, connected ambulances, live streaming of CCTV footage etc. By enhancing the 4G service provision to the surrounding area and providing new 5G coverage into the operators’ network, this would fully support the Greater Manchester Strategy, Local Industrial Strategy, Digital Blueprint, the Infrastructure Framework and Places for Everyone Joint Development Plan.
- 7.2.100** The way 5G works, it is closely connected with the Smart City agenda and will enable centralized control of lots of different street infrastructure owned or managed by councils, such as streetlights, water meters and bus stops. The Greater Manchester area is fully committed to being a smart city and being a world-leading digital city region, as highlighted in the Greater Manchester Strategy, Infrastructure Framework, Local Industrial Strategy and Places for Everyone Joint Development Plan. As such Rochdale needs the 21st century infrastructure to enable this objective to become a reality in this part of the regional city. A new installation on the footway of Hollin Lane, enabling 5G service provision to the Top of Hebers area will ensure that this aspiration is fully met.
- 7.2.101** The Local Government Association’s ‘Councillor’s Guide to Digital Connectivity’ notes that a survey conducted by the Confederation of British Industry found that 81% of firms said that they see more reliable mobile connectivity as essential. Studies have also shown that mobile broadband is associated with positive impacts nationally, such as higher GDP and increased employment. The Guide also notes that digital connectivity has become part of the fabric of everyday life, as important to communities and businesses as a water, gas or electricity

connection.

- 7.2.102** The Government fully supports high quality communications infrastructure, even more so with the advent of 5G. The NPPF continues to strongly support telecommunications connectivity and states at paragraph 118 that local planning authorities should support the expansion of electronic communications networks. It acknowledges that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.
- 7.2.103** The demand for mobile data in the UK is increasing rapidly, and as households and businesses become increasingly reliant on mobile connectivity, the infrastructure must be in place to ensure supply does not become a constraint on future demand. The council's own policy documents recognise the importance of digital infrastructure which again is highlighted in the Places for Everyone Joint Development Plan that pushes for digital infrastructure serving all parts of the city is supported.
- 7.2.104** An installation in this location will fill the current lack of the latest high quality service provision and enable VMO2 and the 4 MVNOs who buy network space off this operator to maintain access to their handheld devices wherever they are for the purposes in which they were purchased. This is fully in line with the Government's aspirations that everyone has access to the superfast communications network, the NPPF, the Greater Manchester Strategy, the Digital Blueprint, the Local Industrial Strategy, the Infrastructure Framework Strategy and Places for Everyone Joint Development Plan.
- 7.2.105** Access to the internet in whatever medium now impacts every facet of our lives but only benefits those who can access and use it. The benefits of internet connectivity are key for both residents and businesses alike and a new radio base station in this location providing the latest 4G and new 5G technologies will support Greater Manchester's aspirations to be a world-leading digital city-region and one which promotes the growth of the digital sector, increasing digital inclusion, so all people can access services, education and training.
- 7.2.106** In line with guidance contained within the NPPF and the Greater Manchester Strategy, Infrastructure Framework, Local Industrial Strategy and the Places for Everyone Joint Development Plan a new radio base station in this location will enable fast, reliable, secure internet accessibility wherever the user is located. It would fully meet the latest operators' coverage and capacity requirements for 4G and new 5G provision. This would be wholly in line with the Government's latest aspirations to strongly support advanced, high quality and reliable communications infrastructure, essential for economic growth and social well-being. Where the NPPF notes that decisions should support the expansion of electronic communications

networks. An installation outside this search area, regardless of whether there are existing sites, would not allow the operators to provide their desired level of coverage and therefore would not adequately maintain and provide new coverage and capacity.

- 7.2.107** As part of the operators 4G licence obligations, many customers will benefit significantly from a vastly improved service provision in this locality. They will be able to gain access to the very latest technologies and connectivity, including 5G, to high-speed data services. The importance of which is fully highlighted in the Greater Manchester Strategy, Infrastructure Framework, Local Industrial Strategy and Places for Everyone Joint Development Plan. Indeed, these documents acknowledge that Digital technology has catalysed the interconnection of the global economy, with the internet enabling the free exchange of goods and services, providing consumers with greater choice and businesses with access to skills, resources and customers. An installation in this location will help Rochdale meet its ambition of being the Smartest city.
- 7.2.108** The Code of Practice acknowledges that upgrading and improving mobile networks will not be possible without the necessary infrastructure on which we rely. With increasing consumer demand and the Government's aspirations for high quality communications infrastructure it is ever more important to improve connectivity and capacity.
- 7.2.109** The Code of Practice acknowledges that there will be times when there is a need for a new radio base station, where sites have been lost, where areas have limited or no coverage and where coverage and capacity need to be enhanced. This application is one such example where there is a need to enhance 4G provision and provide new 5G services within this area.
- 7.2.110** In the Code of Practice it acknowledges 'the pressure on networks to upgrade and improve networks through changes to existing sites and the development of new sites is constant. With the increasing consumer demand and the Government's ambitious aspirations it is becoming more important to improve connectivity and capacity. This is due to the ever-increasing demand for data hungry applications to be available to a range of connected devices, such as smartphones and tablet computers. However, The Code notes that upgrading and improving mobile networks will not be possible without the necessary infrastructure on which they rely'. Therefore, there is a significant need to locate the equipment in this area.
- 7.2.111** We all need high quality communications. In the modern world, a huge amount of time is spent using communications services: for work, to stay in touch with family and friends and in order to go about our daily lives. Our ability to access and use reliable mobile and broadband connections has become fundamental to the way we live and work, and the ability of businesses of all sizes to thrive. The importance that the Government attaches to digital infrastructure was

acknowledged during the COVID pandemic.

- 7.2.112** The UK Government designated the telecommunications sector as one of the critical sectors in new government regulations and legislation in response to dealing with the COVID-19 outbreak. Despite severe restrictions in other sectors, work to repair and maintain the telecommunications network was allowed to continue at that time. All four operators work hard to provide additional network capacity to allow people uninterrupted connection for whatever reason and whenever they need it. This includes allowing local planning authorities and the Planning Inspectorate to drive the planning process forward ensuring it continues to operate effectively to support economic recovery. Without upgrading the network providing the latest technologies, users would not be able to rely on a high-quality communications network when they need it most.
- 7.2.113** Being able to use e-mail, VoIP, video calls using hand held devices is becoming increasingly important for business and domestic use as the up take in smartphones increases. Without new 5G connection and providing the latest 4G service provision the Top of Hebers area of Middleton would fall behind the rest of Rochdale, Greater Manchester city-region and the UK where 5G is being rolled out and would not meet the growing demand for such services by businesses or domestic users alike or the Government's aspirations that everyone has access to the information superhighway and that the UK is a world Leader in 5G.
- 7.2.114** The latest Online Nation 2023 report (published November 2023) found that for most people in the UK, being online is a major part of daily life. Being online allows people to connect with others, sometimes in ways they may not be able to do offline. Data shows how we benefit from a range of online services, from messaging and calling platforms to gaming platforms, online news outlets and online shopping.
- 7.2.115** The Report goes on to note that in total, 47.9 million UK adults accessed the internet on smartphones, tablets and computers in May 2023, spending an average of 3 hours 41 minutes a day online, eight minutes more than in May 2022. Young adults continue to spend the most time online, with 18-24-year-olds spending a daily average of 4 hours 36 minutes, and the 65+ group spending the least time (2 hours 46 minutes).
- 7.2.116** YouTube is the highest-reaching social media service among UK online adults using smartphones, tablets or computers, taking the top spot in May 2023 from Facebook (including Messenger), with more than nine in ten (91.0%) visiting it that month. In May 2022, Facebook was the highest reaching social media service, reaching 93.8% of UK online adults but in May 2023 it had 1.4 million fewer adult visitors, maintaining a high overall UK online adult reach (90.7%) but now on par with YouTube. TikTok, in fifth place, overtook LinkedIn, now ranked

sixth, reaching 44.3% of UK online adults in May 2023, up by 9 percentage points since May 2022 (34.7%). UK online 18-24-year-olds are avid users of social media, and over half of them are visiting six social media platforms: 96% visited YouTube in May 2023, 87% visited either Facebook or Facebook Messenger, 86% visited Instagram, 72% visited TikTok, 71% visited Snapchat and 61% visited X (formerly Twitter).

7.2.117 In March 2020, when OfCom finalised the rules for the next mobile airwaves auction, Philip Marnick, Spectrum Group Director at Ofcom noted:

‘Demand for getting online, on the move is soaring, with mobile customers using nearly 40% more data year on year. So, releasing these airwaves will bring a much-needed capacity boost – helping mobile customers get a better service. We’re also releasing more airwaves to help cement the UK’s place as a world leader in 5G.’

7.2.118 The continued expansion and development of mobile networks is a key element of the National Infrastructure Delivery Plan 2016 – 2021. This recognises that digital communications are now a crucial component of everyday life, with improvements in connectivity being key to a vibrant economy.

7.2.119 The Ofcom Infrastructure Report 2018 found that almost half as much time was spent on landlines than in 2012 while mobile phone data demand grew tenfold.

7.2.120 Paragraph 8 of the Code of Practice on Mobile Network Development in England (March 2022) states:

‘Digital connectivity is vital to enable people to stay connected and businesses to grow. Fast, reliable digital connectivity can deliver economic, social and well-being benefits for the whole of the UK.’

7.2.121 The Government recognises the role of Planning in delivering the digital infrastructure that we need, in a sustainable and well-designed way, especially as households and businesses become increasingly reliant on mobile connectivity. Paragraph 13 of the Code continues to echo the NPPF guidance in strongly supporting high quality communications infrastructure, which is seen as essential for sustainable economic growth. More specifically that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technologies (such as 5G) in order to support economic growth across the country.

7.2.122 The operator not only has a license requirement to provide a certain level of 4G coverage to the

population the appellant is obliged to meet the growing consumer demand for 5G coverage, especially as more people are purchasing 5G enabled devices, in line with their license obligations and the operators competitive market driven “requirement” to provide a high-quality service. Customers expect to be able to access their portable hand-held devices wherever they are, whether that be indoors or outside. There is currently no 5G service provision that is provided by VMO2 in this cell area. This gap can only be filled by providing a new installation within this locality.

- 7.2.123** It is therefore imperative that the operator continues to invest in ensuring that the latest technologies are available on its network, so that customers are able to continue to use their handheld devices wherever they are, for whatever reason, for the purposes in which they were purchased.

Balancing Exercise - Economic and Social Benefits

- 7.2.124** This appeal statement will clearly demonstrate the strong economic, social and environmental well-being benefits for the area if the proposed telecommunications installation is allowed to be installed in this location.
- 7.2.125** The social and economic benefits of providing 5G coverage to an area which currently has no such service provision is a significant material consideration which should be weighed against the perceived impact on the character and appearance of the streetscene, and the visual amenity of the area associated with an installation at this location. However, the council failed to carry out a full balancing exercise, preferring to refuse the application even though it is an item of essential infrastructure which has technical constraints on its siting and appearance. The proposed monopole has a functional appearance, typical of telecommunications equipment and other types of street furniture seen near the site and in urban areas generally, taking this into consideration the installation would not appear prominent in the streetscene. The cabinets are the minimum required in order to service the antennas.
- 7.2.126** Inspectors at appeal have determined that a balancing exercise must be carried out weighing the need for additional telecommunications equipment in the area and the lack of alternatives against the harm in allowing the development to take place. In an appeal decision for a 10m streetworks installation on Chelsfield Road, Orpington, the Inspector allowed the appeal stating that the proposals would not detrimentally affect the character and appearance of the area and the visual and residential amenity of occupiers of neighbouring properties would not be adversely affected (see para 11 PINS ref: APP/G5180/W/16/3151769 at Appendix CTL 23). The points are transferable, in so much as a balancing exercise must be carried out weighing the perceived

harm against the benefits.

7.2.127 The Inspector in relation to the same site on Chelsfield Road allowed a full award of costs against the Council. The reasons are set out in paragraphs 7 and 8 of the PINS decision APP/G180/W/16/3151769 see Appendix CTL 23. The Inspector found that

'there is no specific reference in either the officer's report or indeed the Minutes of the Council's Plans Sub-Committee to indicate that the need for additional telecommunications equipment in the area or the implications of a lack of alternative sites were weighed in the balance in the Council's decision of the proposal and its subsequent decision to refuse to grant prior approval'. The Inspector went on to state at paragraph 8 'The somewhat cursory reference in the Council's appeal statement stating that it was not considered that the need outweighed the material harms identified is not sufficient evidence to indicate that an appropriate balancing exercise had been undertaken to support its decision. Without any evidence to demonstrate that this had been done therefore I consider that for the Council to have refused to grant prior approval and to continue to pursue the appeal amounts to unreasonable behaviour'.

7.2.128 Being able to use smartphones and other mobile devices such as tablets whenever and wherever you are is essential for the community as a whole. Indeed, there are some users who rely solely on their mobile devices as their form of communication and do not have a land line.

7.2.129 NPPF clearly acknowledges the benefits of advanced, high quality and reliable communications infrastructure citing it as *'essential for economic growth and social well-being'*. It enables people to connect and interact with each other, either in person or electronically, to increase prosperity. It enables effective communication between people and businesses and provides a place for people to work and enjoy our natural and cultural assets. Poor infrastructure can be both a disincentive to investment and growth, and have a detrimental impact on quality of life, prosperity and the well-being of communities.

7.2.130 The NPPF strongly supports sustainable development, as does the Policy JP-S1 of the Places for Everyone Joint Development Plan which supports delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services. The case officer states in the delegated report that:

'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.'

- 7.2.131** The appellant refutes the above statement that the proposal would not improve the economic, social and environmental conditions of the area and that it does not comprise sustainable development. The proposed scheme will enable significant improvements for private and business users and facilitate connectivity, innovation, efficiency and user security through a 5G network which currently does not exist in the locality. The proposal will contribute to the expansion of home working to assist in the reduction of travel requirements and thus the environmental quality of the locality. The proposal therefore constitutes sustainable development which significantly outweighs the harm to local distinctiveness, which is limited, and complies with the development plan contrary to the delegated report as above.
- 7.2.132** Mobile communication plays a significant role in sustainable development, being able to access the internet via a mobile device allows people to access a wide range of central and local government services buy groceries, manage finances, apply for jobs/university, and carry out school projects, send emails, download applications, send and receive instant messages, participate in social media, streaming and downloading data to name just a few of the benefits of being able to use an internet enabled handheld device. It also allows people to work from home or on the move without needing to return to the office. Residents and businesses will enjoy better accessibility, assisting home-base working by improving the electronic means of communication and the roll-out of high-speed broadband helping to promote live-work development. This reduces travel time, carbon emissions and increases the speed in which information is processed/shared. The proposals therefore fully comply with NPPF and the Policy JP-S1 of the Places for Everyone Joint Development Plan to minimise the effects of climate change reducing the need to travel and therefore the carbon footprint. It will support a carbon-neutral Greater Manchester and be economically, environmentally and socially sustainable in line with the GM Infrastructure Framework and Policy JP-S1 of the Places for Everyone Joint Development Plan.
- 7.2.133** In such instances, as described above, the NPPF supports development that improves the economic, social and environmental conditions in the area. Enhancing 4G coverage and capacity in this area and providing new 5G services will fully meet this national policy objective. Continuing to transform the digital connectivity of the city-region to drive economic growth and innovation, working to meet national targets of full roll-out of 5G technology for most people by 2027 will comply with the ambitions of the Greater Manchester Local Industrial Strategy. These factors should have all been taken into account when determining the application. The delegated report, although mentioning the benefits that the application documents set out does not carry out a significant balancing exercise weighing the full social, economic and environmental benefits against the perceived harm. Indeed, it doesn't consider that there are any economic, social or

environmental benefits to the area from the proposed scheme. This stance is at complete odds with both national and regional guidance.

7.2.134 Mobile connectivity is essential to the future success of the economy. The combined value of 4G and 5G mobile connectivity is estimated to add £18.5bn to the economy by 2026 (Councils and Connectivity Sept 2018). Mobile connectivity is essential to creating a better society. Digital inclusion can help people gain employment, become more financially secure and improve health and well-being, enabling communities to be more inclusive. Mobile connectivity is essential to fulfilling the potential of new technologies. Innovations such as artificial intelligence and connected cars will change how we work, spend our leisure time and run our public services. This is in full accordance with the Greater Manchester Infrastructure Framework which acknowledges the importance of 5G and states that *'as our homes businesses and cities become more reliant on digital technology to function the robustness of these systems becomes even more critical'*.

7.2.135 Providing the latest digital infrastructure to enable improvements in digital technology empowers and enables residents to have the highest quality of life, supports the creation of high-quality jobs and achieves the maximum productivity levels. It will help Greater Manchester achieve its ambition of being a world-leading digital city and one which its businesses, public service providers and citizens are using digital technology by default and to the fullest to grow their businesses and improve productivity to access skills, training and employment opportunities to address global challenges that have a local impact such as ill health, social isolation, homelessness and pollution; to improve living standards and well-being; and to improve the quality and value for money of public services. However, the Council did not take this into account in the determination of this scheme.

7.2.136 The Cornerstone Local Authority Engagement Brochure September 2020 (see Appendix CTL 24), emphasises further the benefits of high quality mobile connectivity including: promoting economic growth by attracting investment from business, which creates jobs and regional prosperity in line with national and local economic strategies; helps local businesses to offer a broader range of services, boosting the local economy; helps local Councils to offer online services such as school admissions and local information for residents supports local companies by facilitating working from home, offers social benefits such as being able to connect with vulnerable family and friends (a life line during COVID 19 lockdown) or contact the emergency services 24/7, and helps local councils to offer online services such as paying council tax bills which provides a more efficient service to name but a few benefits.

7.2.137 The appeal site is located in a residential area which will include pupils of school age. The

relationship between 5G and education is evolving at a massive rate with educators exploring the relevance of Virtual Reality (VR) technologies for education and training. Crucially, VR can support remote learning, allowing students a presence in the classroom even when working elsewhere, such as during lockdown or when unable to attend school for health reasons.

7.2.138 In recent years the area has seen increased residential development. To the south of the existing site at Windermere Road a new residential development has been built on Fusilier Close. North of the appeal site location on Thyme Drive is a new residential development. To the east of the appeal location along Langley Lane at Dunderdale Hill there is also a new residential development. In turn, this will increase the demand on the network as more people will require connectivity. This causes even greater demand on the network, causing a greater requirement for coverage and capacity.

7.2.139 5G's ability to deliver real-time information (low latency), ultra-fast speeds (critical for high-definition images and video), increased capacity and heightened security will also allow learning on the job, thanks to technologies such as Augmented Reality (AR) goggles, which can give engineers real-time instructions on how to fix a machine on a production line, for example.

7.2.140 Patients across the country are now becoming accustomed to relying on remote healthcare services such as NHS 111, virtual GP appointments, and ordering online deliveries of essential medical supplies.

7.2.141 5G will prove critical in providing the infrastructure required to deliver remote health services over the next decade. By design, 5G's ability to deliver real-time information (low latency), ultra-fast speeds (critical for high-definition images and video), increased capacity and heightened security are going to be fundamental in scaling the patient benefits of remote healthcare and keeping medical records secure and private. For instance, trials have shown that connecting ambulance crews to expert resources using 5G allows paramedics to work with doctors and conduct specialist procedures in real time whilst on the road.

7.2.142 There is a demand for mobile connectivity in areas where geography, logistics or economics – or a combination of all 3, make it difficult. Mobile network capacity needs to grow to meet the demand of mobile users, who are consuming ever increasing amounts of data.

7.2.143 Paragraph 38 of the revised NPPF states that:

'Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including...permission in principle, and work proactively with applicants to secure

developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible’.

7.2.144 Providing improved 4G coverage and capacity and new 5G service provision in this area will fully meet paragraph 38 of the NPPF, and the Greater Manchester Strategy, Infrastructure Framework, Local Industrial Strategy and Places for Everyone Joint Development Plan which aspires Greater Manchester to be a world-leading digital city-region, and Manchester to be the Smartest City. These strategies, the Framework and Places for Everyone Joint Development Plan also support strengthening digital and data infrastructure (including 5G) and using data to help address challenges. However, there is little evidence that the strong support that Rochdale Metropolitan Borough Council and the Greater Manchester City Region have for the immediate roll out of 5G was fully taken into consideration in the determination of this application. If it had then the decision may well have been different.

7.2.145 It would appear that the Council chose to ignore these key elements of national and local planning policy and the plethora of Greater Manchester Regional documents published specifically to emphasise the need to bring 5G into the area at pace, even though this was highlighted in the Supplementary Information Statement submitted with the application. They did not carry out a full balancing exercise weighing the social and economic benefits of the proposal against the perceived harm to the visual amenity. They dismissed the technical constraints of the operator and the reasons for not being able to site the installation in alternative locations too easily. It is too simplistic to state that *‘Despite this, the proposal would result in significant material harm to the character and appearance of the surrounding area and taken as a whole, would fail to comply with the requirements of paragraphs 119 to 121 of the NPPF and this harm would outweigh any benefit which would be secure to the local communications network’*. It has been demonstrated both at application stage and in this appeal statement that there are technical restraints that dictate the height and siting of telecommunication infrastructure, and that there are no more suitable locations within the search area that would be able to host the proposed monopole.

7.2.146 Technical constraints can impact the operators ability to site a mast elsewhere, so whilst it may be more visually better, if it does not work technically then it is not a viable option. This was acknowledged by a planning inspector recently, see paragraph 3.72 and appendix CTL 7 for a copy of the decision and plans. However, the council have decided to ignore these technical constraints, the social and economic benefits of the proposed appeal location.

7.2.147 The social and economic benefits are a significant material consideration which should be weighed against the visual impact associated with a radio base station in this location. HM Treasury outlined such benefits in its report '*Fixing the Foundations: Creating a More Prosperous Nation*' – July 2015. Paragraph 7.1 of the plan stated that reliable and high quality fixed and mobile broadband connections support growth in productivity, efficiency and labour force participation across the whole economy. They enable new and more efficient business processes, access to new markets and support flexible working and working from home.

7.2.148 Paragraph 7.2 goes on to highlight strong support for high quality communications infrastructure. It states:

'by reducing red tape and barriers to investment, the Government will support the market to deliver the internationally competitive fixed and mobile digital communications infrastructure the UK's businesses need to thrive and grow, and which will enable the UK to remain at the forefront of the digital economy. The Government is working with business so that the market can play the lead role in delivering against the ambitions set out in the Digital Communications Infrastructure Strategy, published March, of near universal 4G and ultrafast broadband coverage'.

7.2.149 Indeed, MPs have noted in parliament that the UK's Superfast Broadband connectivity was 'relatively poor' and businesses were losing out from patchy coverage.

7.2.150 The Government recognises that widespread coverage of mobile connectivity is essential for people and businesses. People expect to be connected where they live, work, visit and travel. That is why the Government is committed to extending mobile geographical coverage further across the UK, with continuous mobile connectivity provided to all major roads and to being a world leader in 5G. This will allow everyone in the country to benefit from the economic advantages of widespread mobile coverage. As well as improved mobile signal, 5G networks are also crucial to drive productivity and growth across the sectors that local areas are focusing on through their emerging Local Industrial Strategies which is also acknowledged in the published Greater Manchester Local Industrial Strategy. Enabling and planning for 5G implementation is central to achieving the Government's objective to deliver prosperity at the local level and enable all places to share in the proceeds of growth.

7.2.151 This will allow everyone in the country to benefit from the economic advantages of widespread mobile coverage. As well as improved mobile signal, 5G networks are also crucial to drive productivity and growth across the sectors that local areas are focusing on through their emerging Local Industrial Strategies which is also acknowledged in the published Greater

Manchester Local Industrial Strategy. Enabling and planning for 5G implementation is central to achieving the Government's objective to deliver property at the local level and enable all places to share in the proceeds of growth.

7.2.152 The Government is determined to ensure the UK receives the coverage and connectivity it needs. To this end, the Government wants to be a world leader in 5G, the next generation of wireless connectivity, and for communities to benefit from the investments in the new technology. The GM aspirations align with the Government objectives of being a world leader in 5G. The proposed upgrade will fully support these national and local aspirations.

7.2.153 The case for 5G is compelling as it will bring faster, more responsive and reliable connections than ever before. More than any previous generation of mobile networks, 5G has the potential to improve the way people live, work and travel, and to deliver significant benefits to the economy and industry through the ability to connect more devices to the Internet at the same time, creating the so-called "Internet of Things". This will enable communities to manage traffic flow and control energy usage, monitor patient health remotely, and increase productivity for business, all through the real-time management of data. This is in full accordance with the Wireless Infrastructure Strategy that notes 5G can be a critical enabling technology. It can help increase productivity and efficiency by driving autonomous machines, enabling asset tracking and predictive maintenance and increasing the lifespan of machinery. In the public sector, 5G can support remote healthcare monitoring and smart city applications.

7.2.154 The Local Government Association (LGA) has produced a Councillor's Guide to Digital Connectivity and sets out some of the benefits of 5G technology (see Appendix CTL 25):

- Faster mobile broadband and a more consistent experience in congested areas with a very high number of devices.
- Industrial applications, enabling businesses to improve their productivity, for example through predictive maintenance and real-time analytics.
- Internet of Things (IoT) services, many of which will help council's and businesses deliver services more efficiently including:
 - Transport and logistics: connected parcels and fleet tracking.
 - Health and social care.
 - Environmental monitoring: sensors monitoring air quality and water pollution in real-time.

- Smart agriculture and smart animal farming, smart retailing.
- Connected and autonomous cars: allowing cars to communicate with each other, other road users and even the road infrastructure.

7.2.155 A National Needs Assessment – A Vision for UK Infrastructure has been published in October 2016 ([https://www.ice.org.uk/getattachment/media-and-policy/policy/national-needs-assessment-a-vision-for-uk-infrastr/National-Needs-Assessment-PDF-\(1\).pdf.aspx](https://www.ice.org.uk/getattachment/media-and-policy/policy/national-needs-assessment-a-vision-for-uk-infrastr/National-Needs-Assessment-PDF-(1).pdf.aspx)). It sets out the infrastructure needs for the UK which includes the importance of digital technology. An extract of this assessment can be found at Appendix CTL 26 which states that:

‘A lack of digital connectivity has a detrimental effect on business operations, productivity and output and hence competitiveness in the global market place. Securing digital connectivity is thus critical to the UK’s long-term prosperity. A key challenge for the digital sector is a persistent digital divide between those who have access to the latest technologies and those who do not, with resulting social and economic exclusion, particularly as dependence on e-services and digital communications increases’ (page 66 A National Needs Assessment).

7.2.156 The Assessment goes on to note that ‘Universal digital connectivity would serve as an equaliser of economic opportunity in that it enables participation in a modern digital economy’. Therefore, this Needs Assessment further explains the consequences of a lack of coverage and the effects this has on social and economic prosperity. This clearly highlights the importance of providing new 5G coverage to Top of Hebers, where the economic benefits will outweigh the environmental considerations.

7.2.157 The Government’s continued strong support for connectivity is further evidenced by the DCMS who launched their UK wide Digital Connectivity Portal on 20 December 2018. The Digital connectivity portal provides guidance for local authorities and network providers on improving connectivity in local areas. The Government wants everyone in the UK to benefit from world-class connectivity no matter where they live, work or travel. The Future Telecommunications Infrastructure Review outlines a package of measures to create the right market and policy conditions to deliver world-class connectivity for citizens and businesses. As a result, the pressure to provide a new radio base station in this densely populated area of Rochdale with national road infrastructure crossing through it to provide improved 4G and new 5G is significant.

7.2.158 The environmental considerations of the proposed development should be considered in light of the strong economic and social benefits of providing high quality indoor 4G service provision and new 5G coverage to residents, businesses, and visitors alike to the Top of Hebers area. It is therefore vitally important that the whole of Rochdale has the necessary infrastructure to support the important role of the city, locally, regionally and nationally.

7.2.159 On the 23 September 2020, the Digital Infrastructure Minister Matt Warman MP spoke about the ongoing work by the Government and telecoms industry to boost the UK's world class digital connectivity in his keynote speech at Connected Britain 2020:

...I'd like to take this opportunity to thank everyone in the industry for their tireless efforts at keeping us all connected through an unprecedented period of disruption.

...COVID has altered the way we live, work and most importantly, stay connected with our family and friends. The digital infrastructure that keeps us all connected was essential to our daily way of life under lockdown – and is now more important than ever as we head into recovery. Many of these changes – such as increased working from home – will stay with us for the foreseeable future.

People have referred to the internet as “the fourth utility” – and it's true. For countless people across the country, having fast and reliable broadband and a good mobile connection is as essential and vital to our daily lives as gas, water and electricity.

That's why I'm committed to working with you to ensure the entire nation has access to world-class, next generation gigabit connectivity that is secure and resilient enough to deal with all sorts of future challenges.

This Government is ambitious for the UK's digital infrastructure.

And because we know that more citizens are increasingly living their lives online, we will be one of the earliest adopters of 5G coverage, with the majority of the population able to access 5G by 2027.

...We know how important local authorities are to the delivery of digital infrastructure, which is why I have written to them, together with the Local Government Minister, to outline how they can work more effectively with the industry...

....Turning to 5G, while the commercial rollout of 5G continues at pace, we're pushing ahead with plans to make sure all sorts of industries benefit from this game-changing technology.

....since the start of the 5G Testbeds and trials programme, we've now funded 24 5G testbeds across the UK. Between them, those testbeds have trialled almost 70 different 5G technologies, products and applications. And more importantly than ever, we are investing in a range of sectors to foster, build and grow 5G cross wider industry...

...The world is in the middle of a digital revolution. COVID has accelerated this process, digitising almost every part of our everyday lives and making the infrastructure that connects us more important than ever. That's why it is at the top of the government's agenda...

7.2.160 This Keynote Speech by Mat Warman MP highlights the importance that Government places on 5G and advanced, reliable, high quality 5G technology. To prevent this technology from being brought into the area would be contrary to the Government's key aims and the Council's own aspirations in the Places for Everyone Joint Development Plan, relating to digital infrastructure which includes improving access for all residents and business to high quality digital infrastructure, enabling them to fully participate in the world and future proofing the city for the benefit of future generations. It acknowledges that the competitiveness of cities will be heavily influenced by the quality and capacity of their digital infrastructure such as the latest generation of mobile phone and wireless technology. Furthermore, access to high quality digital infrastructure, will be an initial component of social inclusion, enabling everyone to take up employment, education and social opportunities as well as accessing the full range of services that are increasingly provided on line. It will also enable greater homeworking and hence reduce pressures on transport systems. These aspirations cannot be brought to fruition without the infrastructure to enable Rochdale to be part of a leading world-class Digital City region. Furthermore, without this installation, these ambitions cannot be fully realised, and this important part of the city will fall behind the rest of Rochdale where 5G installations have been allowed as well as the UK as 5G rolls out across the nation.

7.2.161 On the 1 October 2020, as part of the Speed up Britain Campaign, The Centre of Policy Studies Report published '*Upwardly Mobile: How the UK can gain the full benefits of the 5G revolution*'. The report identifies what the 5G opportunities are and what the Government needs to do so we can all benefit from this vital new technology. It states that delays to the rollout of 5G could cost the country tens of billions of pounds in lost economic output. The former Government advisers Alex Jackman and Nick King argue that Government's 'levelling up' agenda and the UK's recovery from the COVID-19 pandemic is at risk without a faster 5G rollout – to the tune of £41 billion.

7.2.162 The report highlights that if delays continue at their current rate, by 2027, over 11 million households and businesses could be missing out on vital digital connectivity. Improving digital

infrastructure supports the Government's 'levelling up' agenda, by helping local areas to retain and attract businesses and talent as well as by reducing regional inequalities.

- 7.2.163** The report states that 'the UK must have a functioning network to now support the recovery from the pandemic, empowering businesses and communities with wider coverage, and preparing the ground for the services that 5G can provide'.
- 7.2.164** Using analysis by the independent consultancy Policy Points, the report estimates that if 5G coverage reaches a quarter more of the population than the Government's current target of 51%, it will produce GDP gains of £41.7 billion by 2027. It highlights that the difference between the UK being a leader and a laggard in 5G adoption could be as much as £173 billion in incremental GDP over the coming decade, as estimated by the Future Communications Challenge Group.
- 7.2.165** The manufacturing, construction and agricultural sectors have been hit particularly hard by the pandemic, and these would benefit significantly from improved connectivity. However, onerous planning rules and loopholes in existing legislation are slowing down the infrastructure upgrades needed to make the most of this mobile revolution in these much-needed industries.
- 7.2.166** The report states that 'Digital networks and services have underpinned our resilience to the COVID-19 pandemic and they will drive our recovery. By expanding them, we deliver not only immediate benefits but also the essential foundation stone for future prosperity. This is no time for the Government to be passive – the difference between the UK as a 5G pioneer and ceding leadership to others is as much as £173bn'.
- 7.2.167** The report highlights that while 5G promises to create economic benefits through increased capacity, reliability and speed – vastly improving business productivity and removing barriers imposed by poor digital connectivity – the system is plagued by red tape.
- 7.2.168** The report acknowledges that 'the gains are not just at national level. A more extensive digital infrastructure helps local areas to attract and retain businesses and talent, thereby playing a vital role in reducing regional inequalities. Providing a supportive environment for digital infrastructure is one of the few things the Government can do that costs little, boosts growth and helps level up the UK....**the key is speed. The faster a network is built, the bigger the regional gains** (emphasis added). The telecommunications industry faces challenges on this front... The COVID-19 pandemic has increased demand on networks but delayed the availability of new spectrum to provide additional capacity'.

- 7.2.169** The report notes that ‘the reliability and reach of 4G is more important than ever. It is needed both to quench immediate demand...and also to facilitate future 5G rollout, as the underlying passive infrastructure will initially support both technologies...Every failure to provide better coverage not only presents an immediate opportunity loss for local business and consumers but also has a bigger downstream economic impact. It acknowledges that productivity gains to business, equality gains for regions and economic gains for the country are only as achievable as the networks they can access.
- 7.2.170** The report recommended that the Government should reform the strategic planning framework to compel local authorities to ensure that the needs of future mobile connectivity are adequately addressed in Local Plans and that new developments are assessed on how they might impact, or could support, local connectivity.
- 7.2.171** The proposed installation in this location will allow the operator to provide improved high quality 4G coverage and capacity and new 5G service provision supporting the Government’s aim of ‘*focusing on ensuring that everyone is connected to the information superhighway*’. This fully meets the aspirations of the NPPF, and the Greater Manchester Strategy, the Digital Blueprint, Industrial Strategy, Infrastructure Framework and Places for Everyone Joint Development Plan.
- 7.2.172** An installation in this location will ensure that the expansion of the electronic communications network is facilitated, and that high quality communications infrastructure is provided to the immediate area. This is in full accordance with the operator’s 4G license obligations and the Greater Manchester aims and aspirations to be a smart city region and have high quality 5G infrastructure, promoting and growing the digital sector and increasing digital inclusion.
- 7.2.173** It has been demonstrated that the proposed monopole will not appear out of place in this location. The proposed equipment cabinets are common place in urban areas and are vital essential infrastructure. The appeal site is no exception to this. There are other, non-telecommunications, statutory undertakers’ equipment cabinets who are providing an essential service to this area. The appellant aims to do the same, providing this high-capacity demand area with the latest 4G and 5G service provision it needs. If the appellant did not require this site, it would not be wasting time and money progressing this appeal. Simply put, it would not make financial sense.
- 7.2.174** The proposed installation would also enhance and provide new community facilities, positively contributing to the quality of local community life, meet the economic and social needs of the people who live and work in the area, provide balanced communities with appropriate services and facilities and conserve the character of the area. Therefore, the appeal proposals fully accord with NPPF and The Code of Practice.

7.2.175 There are no grounds for withholding prior approval for the installation of a telecommunications installation at this location. Furthermore, after detailed consideration of the target service area and other potential sites it is clear that this is the best viable and most sensitive siting and design from which to provide this vital service to local residents, businesses, visitors and those travelling through the area. There are strong economic and social benefits attached to the service and connectivity the proposed scheme will provide and these significant benefits will outweigh any minimal perceived harm to the amenity of the surrounding area.

8.0 CONCLUSIONS

8.1.1 Having had regard to all the evidence in relation to this matter the following conclusions have been reached:

- i) The principle of the development is established and the only matter to consider relates to the siting and appearance of the proposed column. If the column is approved and subsequently installed, then the associated equipment cabinets are permitted development under the operators permitted development rights and have only been included on the plans and in the description in order to remain fully transparent.
- ii) The appeal proposals have been sympathetically designed so as not to look incongruous in the streetscene and will resemble other linear structures within the local vicinity. As such, the proposed scheme would integrate well with the existing vertical structures within the immediate locale including those in both directions along Hollin Lane. The principle of the development has previously been approved at appeal. The monopole was only de-commissioned to consolidate the number of masts in the area. However, with the new 5G technology a mast is required in this area once again.
- iii) The installation would not result in a dominant structure incongruous with its surroundings and would not cause detrimental harm to the visual amenity of the area. The presence of other similar linear structures including the lighting columns, telegraph poles and the other statutory undertaker's equipment cabinets nearby, provides a context in which the appeal proposals can assimilate with rather than appearing out of place to the detriment of the character and appearance of the streetscene.
- iv) It has been demonstrated that the significant drop in land levels to along Hollin Lane coupled with the angle which the residential properties are sited it will ensure that the occupants of these properties will have limited visibility of the proposed installation;
- v) The perceived harm to the character and appearance of the area is outweighed by the need for high quality, reliable, advanced telecommunications provision, as advocated by the Government to justify the granting of prior approval in this location.
- vi) The existing telecommunications monopole to the south west of the appeal site, behind Middleton Select Boxing Club, is not strong enough nor big enough to support the appellant's 5G equipment which is larger and heavier than previous technology. As such, a far larger structure would be required if the existing mast was to be shared, resulting in excessive redevelopment which would not be in keeping with the surrounding area as detailed earlier in

this appeal and within the original application. The design would not assimilate well with its surroundings and would be overbearing and dominating for the occupants of nearby residential properties which would surround the mast. The structure together with the necessary secure fenced compound would have an appearance more akin to an industrial setting than the existing urban area and would be completely out of character and appearance with the streetscene. If the existing site at Windermere Road would be moved anywhere else within the yard area would have a detrimental impact on the amenity of the occupants of nearby residential dwellings.

- vii) The appeal proposal has been sympathetically designed so as not to look incongruous in the streetscene and will resemble other linear structures within the local vicinity. As such, the proposed scheme would integrate well with the existing vertical structures within the immediate locale, partially shielded by the mature trees directly behind the site. It would not result in a particularly dominant structure incongruous with its surroundings and would not cause detrimental harm to the visual amenity of the area and the trees and layout of the road system screen much of the view from the surrounding area. The presence of other similar linear structures provides a context in which the appeal proposals can assimilate with rather than appearing out of place to the detriment of the character and appearance of the streetscene, and the trees will help prevent the column from appearing stark in the surrounding area.
- viii) The benefits of enhancing and providing new community facilities that a high quality indoor new 5G communications network and improved 4G service provision would bring to the Top of Hebers area have been demonstrated. It has been shown that such provision is essential for sustainable economic growth and plays a vital role in enhancing the provision of local community facilities and services and has significant environmental benefits reducing the need to travel in line with paragraphs 8 and 38 of the NPPF.
- ix) Access to the latest superfast mobile technology in the form of 5G coverage is a strong material consideration in the determination of this proposed telecommunications installation.
- x) It has also been demonstrated that a new radio base station in this location would fill a significant hole in 5G coverage for the existing residents, businesses, visitors and users of the national road network in this area of Rochdale. The demand on the network has become greater with the large number of new dwellings recently built out in the area. Otherwise, the deficiencies on the network will prevent anyone using their 5G enabled mobile devices for the purposes in which they were purchased. Without this installation, this area of the borough will fall behind the rest of Rochdale where 5G installations have been allowed and the rest of the

UK where 5G rollout is continuing at pace, in terms of being able to provide improved broadband services for consumers via public networks and where future 5G networks could provide specialist services to organisations and businesses.

- xi) The appellant is proposing to provide new, latest 5G technology for VMO2. This fully meets the requirements of the NPPF, the Code of Practice, the Greater Manchester Strategy, the Digital Blueprint, the Local Industrial Strategy, the Industrial Framework and Places for Everyone Joint Development Plan to provide high quality digital infrastructure, being at the forefront of 5G rollout and a top 5 European Digital City Region linking up this part of the city to the national network. A break in the network will prevent a seamless connection between cell area to cell area leading to dropped calls and buffering. The benefits are therefore strong material considerations which outweigh any perceived harm to the character and appearance of the streetscene.
- xii) Providing a 5G network in this part of the city will help ready this urban part of Rochdale for further technological innovation in the mobile and broadband sector so it can adapt to future change while helping to ensure that all parts of Rochdale have access to modern communication systems. This is in full accordance with the NPPF, the Greater Manchester Strategy, the Digital Blueprint, the Local Industrial Strategy, the Industrial Framework and the new Places for Everyone Joint Development Plan.
- xiii) It has been demonstrated that the proposed 20m structure is the lowest possible that will allow the appellant to obtain its required new indoor 5G coverage and improved 4G service provision to the Top of Hebers area. At lower heights the 5G antennas would be blocked by the urban clutter in the immediate area and their requirement to be taller due to higher attenuation of the radio signal.
- xiv) There are no more sequentially preferable, suitable sites that would provide the required new 5G service and replacement 2G/3G/4G coverage which would cause less harm than the appeal scheme. Inspectors have concluded that *‘even if alternative sites were available, there is no requirement within the Framework or the GPDO for developers to select the best feasible siting’*; and
- xv) It has been demonstrated that the installation of the new telecommunications radio base station in this location will help to secure urgently required new 5G coverage and enhanced 4G service provision within the local area and would be significantly important for the operator’s network. This is a very important site for VMO2 as it currently has no 5G service provision throughout the area. Furthermore, this site is one of the key sites for VMO2 in order

to meet its legal license obligations to provide high quality 5G service provision to the Top of Hebers area. As such, it will allow the operator to enhance and expand the electronics network carrying significant economic benefits, including facilitating home working (which in turn has its environmental benefits through reducing the need to travel, and facilitating home working), social inclusion, greater connectivity for businesses to their suppliers, customers, operating systems etc. to name just a few of the benefits. This is in full accordance with NPPF and underpins economic competitiveness and opportunities for households and businesses to achieve more socially and environmentally desirable ways of living and working in line with the Places for Everyone Joint Development Plan.

- 8.1.2** In the light of the foregoing, it is asked that this appeal be allowed and prior approval be given. It has been demonstrated that the appeal proposals fully accord with national guidance and the Council's development plan.
- 8.1.3** In making its decision the Council has taken little consideration of the operator's technical constraints or that the General Permitted Development Order adds a condition that equipment needs to be designed to minimise visual appearance as much as reasonably practicable. No matter where the installations are located, they will have some visual presence. It is wholly unrealistic to consider otherwise. However, being visible does not automatically equate to harm. The operator has minimised the visual appearance of the installation as much as technically possible and reasonably practicable in line with the requirements of NPPF and the General Permitted Development Order 2015 (as amended) including ensuring the height of the monopole is at its practical minimum and choosing a design which resembles other linear structures as much as possible. The necessary associated equipment cabinets are also the smallest number possible and the minimum in height.
- 8.1.4** In making its decision the Council attached no weight upon the significant material social and economic benefits the proposal would provide; the Council's Digital Strategy for the city to be connected and which supports modern fit-for-purposes technology being used to ensure efficiency and which seeks to make the most of emerging technologies; or the strong Government support for such infrastructure proposals.
- 8.1.5** This appeal statement has addressed all the relevant policies of the statutory development plan and national guidance and shown the appeal proposals accord with the relevant policies and guidance. It is considered that there are no other material considerations of sufficient weight that indicate the appeal should not be allowed.
- 8.1.6** It has also been shown that the proposed development will cause no detrimental harm to

interests of acknowledged importance.

- 8.1.7** For the above reasons, it is respectfully requested that the Council's decision is overturned, and the appeal be allowed.

Appendices