



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/00038/FUL

Name and address for correspondence:	Applicant name:
Josh Fiteni Clarke Telecom Unit E Madison Place Northampton Road Manchester M40 5AG	Cornerstone

Part I - Particulars of Application

Date of Application: 30 November 2023

Proposal:	Removal and replacement of the existing 10.5m high tower supporting 4no. antennas and 1 no. transmission dish, with a 15m high tower, supporting 12no. antennas and 2no. 0.3 metre diameter transmission dishes and ancillary development including the installation of 2no. GPS modules
Location:	Higher Booth Hollins Farm, Rakewood Road, Littleborough, OL15 0AR,

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans:-

Site Location Maps. Drawing no: 100. Rev: D. Received by email on 16/04/2024
Existing Site Plan. Drawing no: 200. Rev: A
Proposed Site Plan. Drawing no: 201. Rev: A

Existing Site Elevation. Drawing no: 300. Rev: A
Proposed Site Elevation. Drawing no: 301. Rev: B

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

- 3 In the event that the telecommunications tower and associated antennae are inoperative and do not provide a service for a continuous period of 6 months, the structures hereby approved, shall be removed from the site and the land shall be restored, in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, within 18 months from the date on which the plant became inoperative.

Reason: In accordance with Policies P3, G4 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework, as the structures have been assessed as being harmful to the character and appearance of the area and to the Green Belt, outweighed only by the public benefit derived from the proposals. Where no public benefit is provided, the structures would not comprise sustainable development.

- 4 The existing telecommunication tower shall be removed from site and the site shall be restored to its former state within 28 days of the approved telecommunication tower being first brought into use.

Reason: In the interests of visual amenity. The existing mast is no longer required and its presence along with the approved mast would appear excessive on the site and to accord with policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and policy in the National Planning Policy Framework.

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 31 May 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

The Coal Authority have advised that prior to the commencement of the development (excluding the removal of the existing telecommunication tower and associated equipment) remedial stabilisation works to address land instability arising from shallow coal mining legacy will need to be carried out in full in order to ensure that the site is made safe and stable for the approved development. The remedial works shall be carried out in accordance with the Construction Industry Research and Information Association (CIRIA) Abandoned mine workings manual (Ref. C758D) (or the most up-to-date subsequent authoritative UK guidance).

A subsequent verification report will need to be submitted prior to the first use of the development. The verification report shall confirm the completion of any remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity and that the site has been made safe and stable for the approved development. The verification report shall be prepared by a suitably competent person.

Permission will required from the Coal Authority and the applicant should contact the Permitting & Licensing Team before undertaking the remedial works which will disturb Coal Authority property.

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

The applicants are advised that they will have to ensure that the legitimate use of the public rights of way network in the area are available to the general public and there are no risks whilst exercising this right. It should be noted that it is an offence to obstruct a public right of way. Any work to alter the formal route of a public right of way will need to be undertaken through a separate application and work to the definitive public right of way must be dealt with legally prior to any work being undertaken. The applicant is advised to contact the Council's Public Rights of Way Officer for further guidance.

All bats and their roosts are protected under the Wildlife and Countryside Act 1981; the Countryside and Rights of Way Act 2000; the Natural Environment and Rural Communities Act 2006; and by the Conservation of Habitats and Species Regulations (2010). Before any work can proceed which may cause harm to bats, a License will need to be obtained from Natural England derogating from the terms of the legislation protecting bats. The License application process is separate from any grant of planning permission.