

APPLICATION NUMBER: 24/00489/TELE

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO. CASE OFFICER

24/00489/TELE

Aimee Bovaird

DETERMINATION DATE 13.07.2024 EXT OF TIME

Address: Land To Rear Of The Royal Toby Hotel, Manchester Road, Castleton North, Rochdale, OL11 3HF

Proposal: Prior notification of the proposed upgrade to existing 25.0m High Lattice Tower comprising of proposed 30.00m Slimline Lattice Tower fixed onto new 5.20 x 5.20m concrete base and associated ancillary works

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

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

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

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION

PRIOR APPROVAL REQUIRED AND APPROVED

SITE

The site relates to an area of land at the rear of the Royal Toby Hotel, Manchester Road. The site is located to the rear of the hotel complex which is at a higher ground level than the highway. The site will be visible from the hotel complex and will have some visibility from the east. The site will not be seen from Manchester Road.

North of the site are bungalows that are situated approx. 50m away. There are trees in-between the bungalows and site, east and south of the site is an industrial area. West of the site is an area of protected open land and beyond this is housing.

The site is located in the Defined Urban Area.

PROPOSAL

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

- a. the installation, alteration or replacement of any electronic communications apparatus;*
- b. the use of land in an emergency for a period not exceeding 6 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or*
- c. development ancillary to radio equipment housing.*

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

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

- a) the receipt by the applicant from the local planning authority of a written notice of their determination that prior approval is not required;*
- b) where the local planning authority gives the applicant written notice that prior approval is required -*
 - i. the giving of that approval to the applicant, in writing, within a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5);*
 - ii. the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-paragraph (5) without the local planning authority notifying the applicant, in writing, that such approval is given or refused; or*
 - iii. the expiry of a period of 56 days beginning with the date on which the local planning authority received the application in accordance with sub-*

paragraph (5) without the local planning authority notifying the applicant, in writing, of their determination as to whether such prior approval is required.'

The application seeks an upgrade to existing 25.0m High Lattice Tower comprising of proposed 30.00m Slimline Lattice Tower fixed onto new 5.20 x 5.20m concrete base and associated ancillary works

RELEVANT PLANNING POLICY

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

National Guidance

National Planning Policy Framework (NPPF)

Places For Everyone

JP-S1 Sustainable Development
JP-D1 Infrastructure Implementation

Adopted Rochdale Core Strategy (CS):

SO3	Improving design, image and quality of place
P2	Protecting and enhancing character, landscape and heritage
P3	Improving design of new development
DM1	General development requirements

Unitary Development Plan (UDP):

G/D/1	Defined Urban Area
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RELEVANT SITE HISTORY

19/00543/FUL - Replacement of existing 20m monopole with 25m high slimline lattice mast supporting 6 no. antenna apertures, 4 no. dishes, together with the installation of 7 no. ground-based equipment cabinets, 1 no meter cabinet within an existing fenced compound and ancillary development – Approved

05/D45816 - Installation Of Replacement 20M High Telecommunications Column With 3 Antennae And 1 Transmission Dish And Associated Equipment Cabinet. - AS

00/D37994 - Determination On Proposal To Upgrade The Existing Telecommunications Equipment And Replace The Existing Cabinets With One Equipment Cabin – Approved

98/D35459 - Erection Of A 20M High Telecommunications Pole With Associated Equipment Cabin - Approved

CONSULTATION RESPONSES

Env Health - Noise/Odours

No objections

Highways And Engineering

No objections

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a site notice put up in the vicinity of the site. No representations have been received.

ANALYSIS

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

- (a) in the case of the installation of electronic communications apparatus (other than a mast), the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level;
- (b) in the case of the alteration or replacement of electronic communications apparatus (other than a mast) that is already installed, the apparatus, excluding any antenna, would when altered or replaced exceed the height of the existing apparatus or a height of 15 metres above ground level, whichever is the greater;
- (c) in the case of the installation of a mast, the mast, excluding any antenna, would exceed a height of—
 - (i) 30 metres above ground level on unprotected land; or
 - (ii) 25 metres above ground level on article 2(3) land or land which is on a highway; or
- (d) in the case of the alteration or replacement of a mast, the height of the mast, excluding any antenna, would when altered or replaced exceed the greater of the height of the existing mast or a height of—
 - (i) 30 metres above ground level on unprotected land; or
 - (ii) 25 metres above ground level on article 2(3) land or land which is on a highway; or
- (e) in the case of the alteration or replacement of a mast—
 - (i) the mast is on any land which is, or is within, a site of special scientific interest; and
 - (ii) the mast would, when altered or replaced, exceed the original width of the mast by more than one third.

The upgrade to existing 25.0m High Lattice Tower comprising of proposed 30.00m Slimline Lattice Tower fixed onto new 5.20 x 5.20m concrete base and associated ancillary works would be development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 16, Class A.

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

Siting and appearance

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

The site is accessed off Manchester Road and the proposed development is located at the rear of The Royal Toby Hotel complex. This is on the boundary of the car park and industrial area, it is not considered that the siting or colour treatment of the pole would adequately disguise the height or mass of the installation of equipment at the site, however the backdrop to the east is an industrial area and within the immediate area there are electricity pylons, both these aspects will result in a lesser visual harm.

The development will not be seen from the highway, it will be seen from the Hotel and associated carpark. There will be a limited view from neighbouring dwellings as they are approx. 50m away. There are existing trees in the area approx. 14m in height and the proposed development will be approx. double the height. It is noted the existing structure is currently 25m and overall it is considered that the extra 5m in height will not result in an unacceptable harm to the character and appearance of the area.

In light of the above, it is considered that the siting and design of the proposals is acceptable and compliant with the requirements of the NPPF.

Highways

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

The Highways department has been consulted and raised no objections to the proposal as it will not have a negative effect on the highway.

It is considered, by reason of sitting the proposal is compliant with policies T2 and DM1 of the Rochdale Core Strategy as well as the National Planning Policy Framework.

RECOMMENDATION

PRIOR APPROVAL REQUIRED AND GRANTED

1. The development shall be carried out in accordance with the following:

Site Location Maps 100
Existing Site Plan 200
Proposed Site Plan 201
Existing Site Elevation 300
Proposed Site Elevation 301

Reason: In the interest of visual amenity and in compliance with Policy P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Report Author Aimee Bovaird