

APPLICATION NUMBER: 22/01192/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01192/FUL	Rosalind Gralton	1 March 2023

Address: Rochdale Rugby Union Club Moorgate Avenue Rochdale OL11 5LU

Proposal: Removal of the existing 15m pole supporting 6no. antennas and installation of a replacement 20m lattice tower supporting 12no. new antennas on a headframe, 4no. transmission dishes and 36no. ERS units behind the antennas. Removal of 5no. equipment cabinets and installation of 4no. replacement cabinets, together with additional ancillary development thereto, including 2no. GPS modules, 2.1m high palisade fencing, relocation of floodlight meter cabinet and floodlights to proposed replacement lattice tower

PUBLICITY	Weekly list expired?	Y	Site notice expired?	N/A
	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/A
	Neighbour comments received?	Y

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

RECOMMENDATION	REFUSE
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CHECKED AND SIGNED OFF BY: LA

DATE: 23.03.23

SITE

The site relates to the Rochdale Rugby Union Club, located on Moorgate Avenue, Rochdale.

The site is one of three existing masts, located in a linear arrangement, sited within the grounds of the Rugby Club. The topography is flat, and residential properties are located immediately south and to the east of the site.

The site is not within a conservation area, but lies to the north of Moorgate Conservation Area.

PROPOSAL

The application proposes the removal of the existing 15m pole supporting 6no. antennas and installation of a replacement 20m lattice tower supporting 12no. new antennas on a headframe, 4no. transmission dishes and 36no. ERS units behind the antennas.

Ancillary works would also remove 5no. equipment cabinets and installation of 4no. replacement cabinets, together with additional ancillary development thereto, including 2no. GPS modules, 2.1m high palisade fencing, relocation of floodlight meter cabinet and floodlights to proposed replacement lattice tower.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

S03 Improving design, image and quality of place

P1 Improving image

P3 Improving design of new development

DM1 General Development Requirements

Supplementary Planning Documents (SPD):

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

RELEVANT SITE HISTORY

14/00812/TELE – Determination of prior approval for the replacement of a 15m high dual communications monopole housing 3 antennae and floodlights, including removal and replacement of one equipment cabinet – Grant 21/08/2014

All other permissions relate to the extension or works to the rugby club itself.

CONSULTATION RESPONSES

Conservation And Design

The Council's Conservation Officer was consulted regarding the application. To the south of the site lies the Moorgate Conservation Area on the southern side of Broadhalgh Avenue. Moorgate Avenue is a good example of an interwar suburban avenue largely comprised of semi-detached houses. Broadhalgh Avenue has a different but complementary character, which reads as a modified country lane, with landscaping playing an important role in its character.

To the south is the 15 Broadhalgh Avenue. Whilst it is noted that both these designated and non-designated assets are in the general vicinity of the application site, the application site is screened from them by No. 72-74 Broadhalgh Avenue. In addition, the site is set back within the Rochdale Rugby Union Club. To the south is 13 Broadhalgh Avenue. The property dates from around 1920, and is one of several large properties built at this time along Broadhalgh Avenue. The house was designed with the principal elevation facing southwards into the garden, with outbuildings along Broadhalgh Avenue, similar to the neighbouring listed dwelling, 15 Broadhalgh Avenue. Whilst the dwelling is not listed, it is locally important, and has been identified as a non-designated heritage asset.

It is acknowledged that at 20m tall, the proposed mast would be markedly taller than any other manmade structures within close proximity to the site, and that the vertical projection, combined with the associated proposed equipment would increase the visual bulk in comparison to the existing telecommunications.

However, considering the siting of the proposed development away from both the designated and non-designated heritage assets, and screening behind existing properties it is considered that the proposed development would have a neutral impact on these designated heritage assets.

The Conservation Officer concludes *'It is acknowledged that the proposed telecommunications would far exceed the height of surrounding features, the proposed development would be situated a sufficient distance away, and behind adequate screening to ensure that the proposal would have a neutral impact on the designated heritage assets, the Moorgate Conservation Area and No. 15 Broadhalgh Avenue, in addition to the non-designated heritage asset No. 15 Broadhalgh Avenue (The Red House).'*

Highways And Engineering

Telecoms use has been long established on this site which is remote from the adopted highway network, therefore we do not expect any highways impact if the development were to be approved.

Highways raise no objection to this application and we request no specific planning conditions.

Env Health - Noise/Odours

No comments received to date

Tree Officer

No comments received to date

REPRESENTATIONS

The application was publicised by way of neighbour notification letters to all surrounding properties.¹ response was received objecting to the application. Concerns were raised regarding the development being out of character and health concerns as a result of the lattice tower

ANALYSIS

Heritage Impact

When making a decision on a planning application for development that affects a listed building or its setting, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The 1990 Act also requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. This duty goes beyond just decisions on permissions and applies to the exercise by the local authority in all of its functions under the planning acts.

NPPF paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

Rochdale CS policy P2 seeks to protect the borough's heritage by conserving, enhancing and promoting key heritage assets, which include listed buildings and conservation areas.

To the south lies the Moorgate Conservation Area. This Conservation Area centres on Broadhalgh Avenue and Moorgate Avenue. The area was developed after 1900 with the majority of building taking place after 1920. Moorgate Avenue is a good example of an interwar suburban avenue largely comprised of semi-detached houses. Broadhalgh Avenue has a different but complementary character, which reads as a modified country lane, with landscaping playing an important role in its character.

Also to the south is the 15 Broadhalgh Avenue. To the south is 13 Broadhalgh Avenue. The property dates from around 1920, and is one of several large properties built at this time along Broadhalgh Avenue. The house was designed with the principal elevation facing southwards into the garden, with outbuildings along Broadhalgh Avenue, similar to the neighbouring listed dwelling, 15 Broadhalgh Avenue. Whilst the dwelling is not listed, it is locally important, and has been identified as a non-designated heritage asset.

Whilst it is noted that both these designated and non-designated assets are in the general vicinity of the application site, the application site is screened from them by No. 72-74 Broadhalgh Avenue. In addition, the site is set back within the Rochdale Rugby Union Club. These properties provide a buffer to the setting of the Heritage assets, and while it is acknowledged that at 20m tall, the proposed lattice tower would be markedly taller than any other manmade structures within close proximity to the site. The vertical projection, combined with the associated proposed equipment would increase the visual bulk in comparison to the existing telecommunications.

However, considering the siting of the proposed development away from both the designated and non-designated heritage assets, and screening behind existing properties it is considered that the proposed development would have a neutral impact on these designated heritage assets. As such, the proposal is not considered to have any unacceptable impact upon adjacent heritage assets, and is compliant with Policy P2 of the Rochdale CS, and the relevant policies contained within the NPPF.

Impact on Character and Appearance

Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to adhere to high quality design and enhance the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general. In addition, paragraphs 126 of the National Planning Policy Framework (NPPF) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 goes on to state that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The proposal would remove the existing mast and replace with a 20m tall lattice tower, which would be significantly taller (5m) than the existing mast. The lattice tower would be significantly wider and taller than the existing structure.

The revised headframe however would result in a fundamentally more obtrusive appearance over the existing headframe by virtue of its increased size and visual complexity due to the additional antennae. In combination with the additional height, the proposals would amount to a more prominent and incongruous feature which would rise well above the predominantly flat, agrarian landscape which surrounds the application site.

Other Matters

There are no concerns in respect of the proposed development unduly overshadowing, or being overbearing towards surrounding occupiers and would not result in a loss of privacy or have any unacceptable noise disturbance impacts. The developer has provided a declaration of compliance with ICNIRP Public Exposure Guidelines, certifying that the development has been designed to accord with the requirements of Radio Frequency public exposure. Whilst not resulting in harm, such considerations are considered to weigh neutrally in the overall balance of the application.

Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. Paragraph 40 goes on to state Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer.

The applicant has indicated that pre-application advice was sought within section 23 of the submitted application form, and has stated pre-application consultation was sent to the Local Planning Authority with no response received. Consultation was also carried out with local Councillors and the constituency's Member of Parliament, with no responses received.

The LPA operate a formal, paid Pre-Application service details of which are easily retrieved online. No record of any formal request for Pre-Application advice was

received by the LPA, and as such this matter is considered to weigh neutrally in the overall planning balance.

Public Benefit

Paragraph 114 of the NPPF states that an 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, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Supporting information states that the upgrade of the site is required as the site operator requires new 5G technology to be installed into its network in this cell area, over the existing 2G, 3G and 4G service currently provided for.

With the Government's agenda on telecommunications set out clearly within the NPPF, the increased coverage of 5G is acknowledged as a significant public benefit, however in order to justify, and therefore afford material weight this benefit, regard should be had to the site selection process.

Site Selection

Paragraph 115 of the NPPF states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

In the context of paragraph 115, the application site can be considered sequentially preferable in that it would see the upgrade of an existing site and limited weight is afforded as a result. However, it is useful to be provided with details of the wider network coverage in order to establish if any other sites may exist which would be compliant with other policy requirements, beyond those of paragraph 115 of the NPPF.

The site specific supplementary information dictates that an assessment of alternative sites is not required as the development fulfils the sequential approach as set out under paragraph 115 of the NPPF. However, no rooftop sites have been suggested, and the proposal would

In assessing the suitability of the site it is acknowledged that a telecommunications installation has existed at the site since 2015, and the existing network has subsequently been formed around this installation, with the site forming part of the established network. It is not however acceptable in this location, given the increase in height would appear out of scale and context with surrounding structures in this location.

Conclusion

The proposed replacement 20m lattice tower and ancillary cabinets 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, the public benefits of the scheme would not outweigh the harm, and would result in an

incongruous addition that would fail to comply with the requirements of paragraphs 115 to 117, 126 and 130 of the NPPF.

RECOMMENDATION

REFUSE for the following reason:

- 1) The proposed installation, by virtue of its height, siting and appearance, would represent an incongruous and dominant feature of the street scene in a prominent residential 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 the street scene and visual amenity generally and be contrary to policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Notes for Applicant:

INFORMATIVE:

For the avoidance of doubt, this decision relates to the following list of submitted plans / documents:

- Supplementary Information form including technical justification
- Site Location Maps – 100 Rev B
- ☐ Existing Site Plan – 200 Rev A
- ☐ Proposed Site Plan – 201 Rev B
- ☐ Existing Site Elevation – 300 Rev A
- ☐ Proposed Site Elevation – 301 Rev B
- Copy of the Developers Notice and letter served on the owner(s) of the site
- ICNIRP Compliance Certificate.

Procedure Statement

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

Report Author Rosalind Galton