

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00635/FUL	James Hughes	5 September 2023

Address: Highway Verge Opposite Owd Betts Inn Edenfield Road OL12 7TY

Proposal: Installation of 10m high monopole, associated equipment cabinet and meter box on concrete bases and installation of crash barrier

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

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/ A

RECOMMENDATION	REFUSAL
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CHECKED AND SIGNED OFF BY: RG

DATE: 13 September 2023

SITE

The application relates to a site on the south side of Edenfield Road, to the north of Ashworth Moor Reservoir and to the west of an informal gravel car parking area. There is an existing 6.5 metre high monopole with CCTV & sensors proximate to the position of the proposed development, which is adjacent to a stone wall that runs along the south edge of Edenfield Road. There is also an associated equipment box.

The surrounding land is largely undeveloped moorland, with the only nearby building being the Grade II listed 'Owd Betts Inn' to the north of the application site over Edenfield Road. The application site and surrounding area is also designated Green Belt land.

LISTED BUILDING

The application site is within the setting of the Grade II listed 'Owd Betts Public House'

Heritage Category: Designated Heritage Asset (Listed Building)

Grade: II

List Entry Number: 1084290

Date Listed: 12 February 1985

List Entry Name: Old Betts Public House

Statutory Address: Owd Betts Public House, Edenfield Road

Details: SD 81 NW HEYWOOD EDENFIELD ROAD (North Side) 2/14 Owd Betts - Public House - II A Farmhouse, now public house. "R M 1796" on datestone. (Richard and Mary Ashworth). Hammer dressed watershot stone with slate roof. 3-unit plan with outshot to rear right hand side and C20 extension to rear, lean-to to gable and porch to front. 3-bay 2-storey front elevation with C20 porch and datestone between bays 2 and 3 with square-cut monolithic jambs and lintel. Each bay has a three-light stepped square-cut flush mullioned window to each floor with various sash and casement frames. The 3 chimney stacks occur on each gable and to the right of the second bay, each is cross-axial.

PROPOSAL

The application seeks planning permission for the erection of a 10 metre climbable galvanised monopole with detachable climbing rungs on a concrete base. 2no. 600mm CL dishes are proposed to the top of the monopole. In addition, the plans include 2no. associated equipment boxes and a 7.5 metre long, 0.6m crash barrier between the equipment and the edge of Edenfield Road.

RELEVANT PLANNING POLICY

Legislation: Town and Country Planning Act 1990 (TCPA)

Legislation: Planning (Listed Buildings & Conservation Act 1990) (PLBCA)

Section 66 – General duty as respects listed buildings in exercise of planning functions

Section 67 – Publicity for applications affecting setting of listed buildings

Legislation:

National Guidance - National Planning Policy Framework (NPPF)

National Guidance - National Planning Practice Guidance (NPPG)

Local Policy - Adopted Rochdale Core Strategy (CS):

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

Local Policy - Unitary Development Plan (saved policies) (UDP):

G/D/2 – Green Belt

RELEVANT SITE HISTORY

No relevant site history.

CONSULTATION RESPONSES

Conservation And Design

Received 23 August 2023 – The proposal would result in less than substantial harm to the significance of Owd Betts. The harm needs to be clearly justified and weighed against the public benefits of the proposal. The points of objection raised can be summarised as:

- The submitted Heritage Statement (HS) is brief and does not appear to have regard to Historic England best practice guidance for the production of heritage statements.
- The conclusions of the HS are not accepted
- The HS concludes that the development is not in the curtilage of the listed building. However, the development would be within the immediate setting of the listed building which is relevant.
- The HS concludes that there would be no impact on key views, but views along Edenfield Road in both directions need to be considered.
- The new monopole would be significantly taller and wider than the existing monopole structure proximate to the proposal. The new cabinets and crash barrier would add to the street clutter and detract from the listed building.
- The proposal is supported by documents that state that the location was chosen as it was the least visually intrusive. However, no information regarding the other locations has been included.

Highways And Engineering

Received 24 July 2023 - Highways confirmed no objection to the application, but commented that the future maintenance of the crash barrier would remain with the applicant.

Env Health - Noise/Odours

No comments received to date

REPRESENTATIONS

- 1 Neighbour Letter sent on 20 July 2023
- General Site Notice displayed on 15 August 2023
- Affecting Setting of Listed Building Site Notice displayed on 15 August 2023
- Press Advert 'Affecting Setting of Listed Building' published 23 August 2023

No representations received.

ANALYSIS

Principle of Development

The application seeks permission for the erection of a 10m monopole with associated infrastructure and a crash barrier.

Paragraph 114 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing. As such, decisions should support expansion of electronic communication networks. However, Paragraph 115 goes on to state that the number of communications masts and sites should be kept to a minimum and be consistent with the needs of consumers. Equipment should be sympathetically designed and camouflaged where appropriate.

The application sets out the need for an expansion of infrastructure as necessary for business development and meeting specific technical and operational requirements. No information has been provided on the extent of the coverage of the current network. An understanding of the broader network context is helpful to properly appreciate how a proposed mast fits into the network and to then be able to assess what alternatives have been investigated.

In addition, the submitted plans and documentation make limited reference to alternative sites. Contained within the Design & Access Statement prepared by Smith Tunbridge Ayres, there is reference to 'Alternative Site Options'. However, these options are not set out and thus have very little weight when considering alternative sites, with the conclusion not based on any submitted evidence, plans or supporting reports. As such, it is considered that the principle of the development cannot be properly assessed in this instance and thus the principle of the development is unacceptable, with the submission inconsistent with Section 10 of the National Planning Policy Framework.

Design & Impact on Heritage Asset(s)

The application site is proximate to the Grade II listed Owd Betts Inn. As such, the development is considered to be within the immediate setting of a designated heritage asset.

Section 16 of the PLBCA Act 1990 sets out that, in considering whether to grant planning permission for development which affects the setting of a listed building, the LPA will have special regard to the desirability of preserving the building or its setting.

Paragraph 130 of the NPPF sets out that planning decisions should ensure that developments, amongst other things, are visually attractive and sympathetic to local character and history, including surrounding built environment and landscape setting.

Paragraph 194 of the NPPF states that, in determining applications, LPs should require applicants to suitably describe the significance of heritage assets. Paragraph 195 goes on to state that LPAs should identify and assess the particular significance of any heritage asset (or setting) and take this into account when considering impact of a proposal on a heritage asset.

Paragraph 197 states that in determining applications, LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution the conservation of the heritage asset can make to

communities/economic vitality, and desirability of new development making a positive contribution to local character and significance.

When considering potential impacts, paragraph 202 states that where a development proposal would lead to less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits of the proposal.

CS Strategic Policy P2 states that conserving, enhancing and promoting key heritage assets, both statutory and non-statutory and consideration of their wider settings are to be protected.

The NPPG states that significance derives not only from a heritage asset's physical presence, but also from its setting. The contribution a heritage asset has to its setting is very important to understand the potential impact and acceptability of development proposals. The NPPG goes on to state that views to and from an asset will play an important part in the assessment of impacts on setting.

The proposed monopole would be a prominent and utilitarian form of development that would be viewed in the context of the Grade II listed Owd Betts pub, particularly when travelling east or west along Edenfield Road. In addition, the equipment/development would be prominent when looking towards the Grade II listed pub from Ashworth Moor Reservoir, as well as when viewing the reservoir from the pub. As such, the proposed equipment, by virtue of its inappropriate siting and significant height/scale when viewed in the context of the existing, smaller monopole (weather station equipment) would cause less than substantial harm to the setting of the Grade II listed heritage asset.

Notwithstanding the impact on the designated Grade II heritage asset proximate to the development, the proposed monopole and associated equipment would be sited in a highly prominent location, along a key route into and out of the borough. CS Policy DM1 requires all development proposals to be of a high quality and enhance the quality of the area, whilst CS Policy P3 goes on to state that all new developments, regardless of location, should adhere to high standards of design and enhance the borough's identity by respecting context and having regard to the scale, density, massing, height, layout and landscape of areas in general. The proposed monopole and associated equipment is sited in a prominent position, where it would appear stark against the largely undeveloped open moorland area and in context with Ashworth Moor Reservoir.

Due to the unacceptable siting, prominence and scale of the proposed monopole and associated equipment, undue less than substantial harm would be caused to designated heritage asset(s), with unsatisfactory justification or weight found or provided to justify the development. The proposal, by virtue of its excessive height, unacceptable scale and siting would also unduly impact the character of the surrounding area and landscape setting. As such, the proposal fails to accord with Section 16 of the National Planning Policy Framework and Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy.

Impact on Green Belt

Paragraph 137 of the NPPF states that the government attaches great importance to Green Belts. Relevant to this particular application, the Green Belt serves the purpose of assisting in safeguarding the countryside from encroachment.

Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSCs). LPAs should ensure that substantial weight is given to any harm to the

Green Belt. VSCs will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 sets out that the construction of new buildings as inappropriate in the Green Belt unless under certain exceptions. Paragraph 150 goes on to set out other forms of development that may also not be inappropriate in the Green Belt, so long as they preserve its openness and do not conflict with the purposes of including land within it. It is not considered that the proposals fall within any of the exceptions in Paragraphs 149 or 150. The NPPG states that 'openness' is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant.

CS Policy G4 states that development will be restricted to those limited types of development which are deemed not to be inappropriate by national planning policies unless very special circumstances can be demonstrated. Saved UDP Policy G/D/2, to be read in conjunction with CS Policy G4, largely summarises the same point with regard to development on Green Belt designated land.

The proposed monopole, complete with additional cabinetry and a crash barrier, would unduly impact the openness of the Green Belt in this location. It is respected that there is an existing monopole very proximate to the proposed site of the monopole and associated equipment. However, the significantly taller and wider equipment would have a cumulatively unacceptable impact on the open character of the Green Belt, both physically and visually, in this location. The application has not been supported with sufficiently identified and set out Very Special Circumstances (VSCs) to justify such a development. As such, would fail to be consistent with Section 13 of the National Planning Policy Framework, Policy G4 of the adopted Rochdale Core Strategy or saved Unitary Development Plan policy G/D/2.

CONCLUSION

The proposed erection of the 10 metre monopole associated cabinetry and crash barrier would result in economic and social benefits through improvements to local communications networks. However, the siting, scale and appearance of the proposed development is considered unsuitable due to unacceptable impact on the Green Belt with no demonstration of very special circumstances and less than substantial harm to a Grade II listed heritage asset. In addition, whilst there will be public benefits from the development, the siting of the development is inappropriate and no information has been submitted to suitably demonstrate alternative sites that have been considered to inform the siting of the development.

RECOMMENDATION

1. Due to the lack of supporting information in relation to current network coverage or alternative sites considered as part of this proposal, required under paragraph 117 of the National Planning Policy Framework. The principle of the development cannot be appropriately assessed or justified and the proposal therefore fails to duly accord with Section 10 of the National Planning Policy Framework.
2. By virtue of its inappropriate siting, unacceptable height and width and utilitarian appearance, the proposed development would unduly impact both the visual and physical openness of the Green Belt. No 'Very Special Circumstances' have been adequately submitted to justify such harm to the Green Belt. As such, the proposal fails to accord with Section 13 of the

National Planning Policy Framework, Policy G4 of the adopted Rochdale Core Strategy or saved Policy G/D/2 of the Rochdale Unitary Development Plan.

3. The proposed installation, by virtue of its height, massing, siting and appearance, would represent an incongruous and dominant feature within the landscape on a highly prominent and open site directly adjacent to Edenfield Road. In addition, less than substantial harm without suitable justification would be caused to the setting of the Grade II listed Owd Betts Public House. The development would therefore result in unacceptable harm to a designated heritage asset and the character of the area, failing to accord with Sections 12 and 16 of the National Planning Policy Framework and Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy.

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.

Notes for Applicant:

For the avoidance of doubt, this Decision Notice relates to the following drawings:

- Site Location Plan (Drawing 00110 Revision 001 dated April 2023)
- Proposed South West Elevation (Drawing 00112 Revision 001 dated April 2023)
- Proposed Site View (CGI) (Drawing 00151 Revision 001 dated May 2023)
- Proposed Site Layout Plans (Drawing 00111 Revision 001 dated April 2023)