

APPLICATION NUMBER: 23/01055/TELE

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01055/TELE	Aimee Bovaird	14 November 2023

Address: Land At Lane End Farm, Lane End, Hopwood Heywood, OL10 2JE

Proposal: Prior notification for the removal of existing cabinet (Phase 1) and removal of existing 15.0m high Lattice, installation of proposed 20.0m high Lattice on new foundation, installation of 6no. VMO2 Antennas and 6no. VF Antennas (12no. Total Antennas), 36no. ERS Units, 2no. proposed dishes 0.3mm, 2no. proposed dishes 0.6mm and installation of 2no. ERS Rack and 3no. cabinets with ancillary development required thereto including new 1.8m high chain-link fence (Phase 2).

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?	Y

EIA	Screening opinion completed and saved to Onbase?	N
-----	--	---

CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	PRIOR APPROVAL REQUIRED AND REFUSED
----------------	-------------------------------------

CHECKED AND SIGNED OFF BY: LA

DATE: 16.11.23

SITE

This site is located at Lane End Farm, Lane End. The site is located at the south corner of Lane End Farm Campsite and the application relates to an existing telecommunications tower measuring 17m to the top of the antenna and 15m to the top of the mast. The M62 runs alongside the site, to the west is residential housing.

The site is accessed from Lane End and through the fields.

The site is within the Green Belt and Coal Mining Development High Risk 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 prior approval for the removal of existing cabinet (Phase 1) and removal of existing 15.0m high Lattice, installation of proposed 20.0m high Lattice on new foundation, installation of 6no. VMO2 Antennas and 6no. VF

Antennas (12no. Total Antennas), 36no. ERS Units, 2no. proposed dishes 0.3mm, 2no. proposed dishes 0.6mm and installation of 2no. ERS Rack and 3no. cabinets with ancillary development required thereto including new 1.8m high chain-link fence (Phase 2).

The applicant's supporting statement states that the location has been identified as being necessary for effective service coverage, meeting specific technical and operational requirements.

RELEVANT PLANNING POLICY

National Guidance

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

National Planning Policy Framework (NPPF) – July 2021

Adopted Rochdale Core Strategy (CS):

SO3	Improving design, image and quality of place
P1	Improving Image
P3	Improving design of new development
DM1	General development requirements
G4	Protecting Green Belt Land

Unitary Development Plan (UDP):

G/D/2 Green Belt

RELEVANT SITE HISTORY

02/D39745 - Prior Approval And Determination On Proposal To Erect A 15M High Telecommunications Tower With 6 Antennae, 3 Dishes And Associated Equipment Housing – Refused

14/01055/TELE – Prior approval to increase the height of the existing lattice tower by 2.6 m to 17.5 m and accommodate 6no. Antennas on a new head frame at the top of the structure. - Grant

CONSULTATION RESPONSES

Highways And Engineering

No objections

Env Health - Noise/Odours

No objections.

National Highways

No objection

The Coal Authority

No comments received to date

Tree Officer

No comments received to date

REPRESENTATIONS

Letters of notification were sent to all surrounding properties and a notice was posted in the vicinity of the site. One objection has been received raising the following concerns:

- eyesore
- devaluing properties

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 removal of the exiting lattice tower and the installation of a 20, high Lattice with antennas, dished and associate cabinets and a 1.8m high chain link fence 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 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.

In addition, 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. 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.

When considering the visual impact, the site is located on the lower corner of a field close to residential properties on Kenley Drive. The M62 runs adjacent to the site, as a result of its siting the existing telecommunication pole is highly visible from all directions. The proposed development will increase the existing height of the pole by 5m meaning the development will be significantly more visible from all directions.

The antennas proposed in phase 2 will exacerbate the visual harm and appear alien within the surrounding context. This feature at a prominent position high above ground level, with the materiality of the antennae and tower and surrounding vegetation being inadequate to mask the harm resulting from the towers design, scale and siting would result in additional harm. Similarly, the inclusion of a 1.8m high chain link fence around the perimeter of the base of the tower, would introduce a hostile and uninviting feature which would harm the character and appearance of the area.

The existing trees are 11.1m high and the proposed development will be 20m high this means the proposed development will not integrate into its surroundings as it will almost be double the height of the trees. Views of the monopole would be predominantly set against the sky, given the siting is in the corner of the field. This means there is no other backdrop. Again highlighting how the development will not integrate into the surroundings. Objections have been received from a local resident in relation to the appearance of the replacement mast.

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, given the highly visible location and the inappropriate design.

The Council's Highways department have been consulted and raised no objections.

In light of the above, it is considered that the proposed replacement mast would comprise a visually dominant and incongruous development that would result in an unacceptable degree of harm to the character and appearance of the area generally.

Site Selection

The application sets out the need for an expansion of infrastructure as necessary for business development and meeting specific technical and operational requirements.

No alternative sites have been provided as the proposal is an alteration to an existing site.

Conclusion

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 115 to 117 of the NPPF and this harm would outweigh any benefit which would be secure to the local communications network. As such Prior approval for the siting and appearance is therefore required and the application is refused.

RECOMMENDATION

Prior approval **required** and **refused** for the following reason:

1. By virtue of its siting and appearance, in particular the increase in height of the tower, the proposed replacement mast would constitute a significantly incongruous and dominant feature within the street scene, amplified by the siting of the headframe and antenna. The development would therefore result in unacceptable harm to character and appearance of the area and be contrary to policies P1, P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

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 relates to the following list of plans:

Site Location Maps – 100 B

Lease Drawing - 101 C

Existing Site Plan – 200 A

Proposed Temporary Site Plan – Phase 1 – 200A A

Proposed Site Plan – 201 D

Proposed Temporary North – East Elevation Phase 1 – 300A C

Proposed North East Elevation – Phase 2 – 301

Report Author Aimee Bovaird