

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01210/TELE	Jake Powell	01/11/2022

Address: Moss Industrial Estate, Woodbine Street East, Rochdale, OL16 5LB

Proposal: Prior notification for the removal of existing steelwork and 6no. Antennas, installation of proposed 3.5m high swan lattice stub tower mounted on steel grillage, installation of 12no Antennas, 36no ERS Units and 4no Dishes onto new delta headframe. Installation of 2no. GPS modules mounted on Antenna support poles and ancillary development thereto

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?	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	PRIOR APPROVAL NOT REQUIRED
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CHECKED AND SIGNED OFF BY: AT

DATE: 03.11.2022

SITE

The application relates to a mill building, located off Woodbine Street East in Rochdale. The units within this building are typically utilised for general industrial and storage and distribution uses. The site benefits from shared car parking areas.

The mill is bound to the sides by other industrial uses, and the Rochdale Canal to the rear. The nearest residential dwelling to the building is situated approximately 40m to the south.

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.

The submitted application seeks prior notification for the removal of existing steelwork and 6no. Antennas, and the installation of a 3.5m high swan lattice stub tower mounted on steel grillage in addition to the installation of 12no Antennas, 36no ERS Units and 4no Dishes onto new delta headframe.

Furthermore, the application seeks prior notification for the installation of 2no. GPS modules mounted on Antenna support poles and ancillary development thereto.

The applicant's supporting statement states that the location has been identified as a suitable location as telecoms operators have occupied this site for a number of years, with telecommunications being an established party of the streetscene and roofscape of this area of Rochdale.

RELEVANT PLANNING POLICY

Legislation

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

National Guidance

National Planning Policy Framework (NPPF) – July 2021

Adopted Rochdale Core Strategy (CS):

SO3 **Improving design, image and quality of place**
P3 Improving design of new development

DM1 General development requirements

Unitary Development Plan (UDP):

G/D/1 **Defined Urban Area**

RELEVANT SITE HISTORY

01/D38399 Installation Of 7 Microwave Dishes, 18 Radio Port Units, 12 Base Station Radios With Ancillary Equipment To Roof Top Of Mill. Grant Permission subject to condition.

CONSULTATION RESPONSES

No consultation responses.

REPRESENTATIONS

Letters of notification were sent to all surrounding properties. No representations were 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 small antenna and small cell systems) on a building is not permitted by Class A(a) if—

2) Development not permitted: building-based apparatus other than small antenna and small cell systems

(a) the height of the electronic communications apparatus (taken by itself) would exceed—

- (i) 15 metres, where it is installed on a building which is 30 metres or more in height; or
- (ii) 10 metres in any other case;

Complies: The apparatus would measure approximately 4.6 metres in height.

(b) the highest part of the electronic communications apparatus when installed, altered or replaced would exceed the height of the highest part of the building by more than—

- (i) 10 metres, in the case of a building which is 30 metres or more in height;
- (ii) 8 metres, in the case of a building which is more than 15 metres but less than 30 metres in height; or
- (iii) 6 metres in any other case;

Complies: The height of the building is approximately 21.5 metres and the height of the apparatus when installed would exceed the height of the highest part of the building by 4.6 metres.

(c) in the case of the installation, alteration or replacement of a mast on a building which is—

- (i) on article 2(3) land or land which is, or is within, a site of special scientific interest; and
- (ii) less than 15 metres in height, the mast would be within 20 metres of the highway (unless the siting remains the same and the dimensions of the altered or replaced mast are no greater);

Complies: The building is not on article 2(3) land or is within a site of specific scientific interest.

(d) in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is less than 15 metres in height; on a mast located on such a building; or, where the antenna is to be located below a height of 15 metres above ground level, on a building (other than a mast) which is 15 metres or more in height—

- (i) the antenna is to be located on a wall or roof slope facing a highway which is within 20 metres of the building on which the antenna is to be located;
- ii) in the case of dish antennas, the size of any dish would exceed 0.9 metres or the aggregate size of all the dishes on the building would exceed 4.5 metres, when measured in any dimension;
- (iii) in the case of antennas other than dish antennas, the development would result in the presence on the building of—
 - (aa) more than 3 antenna systems; or
 - (bb) any antenna system operated by more than 3 electronic communications code operators; or
- (iv) the building is a listed building or a scheduled monument;

Complies: The proposed telecommunications would not be sited on a building which is less than 15 metres in height.

(e) in the case of the installation, alteration or replacement of an antenna on a building (other than a mast) which is 15 metres or more in height, or on a mast located on such a building, where the antenna is located at a height of 15 metres or above, measured from ground level—

- (i) in the case of dish antennas, the size of any dish would exceed 1.3 metres or the aggregate size of all the dishes on the building would exceed 10 metres, when measured in any dimension;
- (ii) in the case of antennas other than dish antennas, the development would be on a building which is less than 30 metres in height and would result in the presence on the building of—
 - (aa) more than 5 antenna systems; or
 - (bb) any antenna system operated by more than 3 electronic communications code operators; or
- (iii) the building is a listed building or a scheduled monument; or

Complies: The proposed telecommunications would not include any dish antennas, and the development would not result in more than 5 antenna systems or any antenna system operated by more than 3 electronic communication code operators. Furthermore, the building is not a listed building or scheduled monument.

(f) in the case of the installation of an antenna on electronic communications apparatus on a building on article 2(3) land—

- (i) the size of any dish antenna to be installed would exceed 0.6 metres or the number of dish antenna which have been installed on the building since 21st August 2013 would exceed 3; or
- (ii) the height of any antenna other than dish antenna to be installed would exceed 3 metres, or the number of such antennas which have been installed on the building since 21st August 2013 would exceed 3.

Complies: The building is not on article 2(3) land.

The installation of the proposed telecommunications 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.

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.

In considering the visual impact of the development, the proposed telecommunication devices would be situated well within the application site, 21 metres above ground level. Given the overall quantum, scale and design of buildings and structures within the site, and the relatively small scale of the proposals, it is not considered that the proposals would be harmful to the character and appearance of

the area, and the siting is considered acceptable in this regard. The equipment will be clearly visible from the adjacent Rochdale Canal, but the harm caused is not considered sufficient to refuse the proposal. This is furthered by the point that the proposals replace existing telecommunications.

In light of the above therefore, it is considered that the siting and design of the proposals is acceptable and compliant with the requirements of the NPPF. Prior approval is therefore not required.

RECOMMENDATION

PRIOR APPROVAL IS NOT REQUIRED

Notes for Applicant:

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

- 100 Site Location Maps Rev A
- 201 Proposed Site Plan Rev B
- 301 Proposed Site Elevations Rev B

Report Author Jake Powell